



Manitoba Constitutional Task Force

February 5, 1991
The Pas, Manitoba

No. 5

Chairman: Professor Wally Fox-Decent



MANITOBA CONSTITUTIONAL TASK FORCE**Tuesday, February 5, 1991****TIME — 1:30 p.m.****LOCATION — The Pas, Manitoba****CHAIRMAN — Professor Wally Fox-Decent***Members of the Task Force present:*

- Mr. James Carr (Member for Crescentwood)
- Mrs. Shirley Render (Member for St. Vital)
- Substituting for Ms. Jean Friesen (Member for Wolseley), Mr. Steve Ashton (Member for Thompson)
- Substituting for Mr. Oscar Lathlin (Member for The Pas), Mr. George Hickes (Member for Point Douglas)
- Substituting for Hon. James McCrae (Member for Brandon West), Mr. Marcel Laurendeau (Member for St. Norbert)
- Substituting for Hon. Darren Praznik (Member for Lac du Bonnet), Mr. Jack Reimer (Member for Niakwa)

Support Staff for the Manitoba Constitutional Task Force:

Professor S. Gallagher, Research Director
 Kathleen Mico, Research Officer
 Terry Simmonds, Research Officer
 Vic Toews, Legal Counsel

Witnesses:

Frank Whitehead, Swampy Cree Tribal Council
 Gary Munroe and Dan Ricard, Keewatin Community College, Business Administration Students, Year 2
 Bruce Unfried, Private Citizen
 Lloyd Martin, Moose Lake Indian Band
 Michal Tack, on behalf of Alyson Barnett-Cowan, Private Citizen
 Dawna Pritchard, Private Citizen
 Evelyn Ballantyne and Kathy Cooper, Opasquiak Women's Resource Service
 Len Kolton, Private Citizen
 Fletcher and Pat Stewart, Private Citizens
 Keith Lyons, Private Citizen

Gordon Landriault and Sheila Watts, The Pas Labour Co-ordinating Committee

Judy Hughes, Private Citizen

Sandra Delaronde, Private Citizen

Myles Donahue, The Pas New Democratic Party Association

Richard Goudy, Private Citizen

Cameron Buck, Private Citizen

Marge Nikolychuk, Private Citizen

David Dick, Private Citizen

James Hemauer, Private Citizen

Odie J. Moran, Private Citizen

Written Submissions:

Frank Whitehead, Swampy Cree Tribal Council

Pat Stewart, Swampy Cree Tribal Council

Matters Under Consideration:

Public Presentations—Manitoba Constitutional Task Force

Mr. Chairman: Good afternoon, everybody. Welcome to the public hearing of the Manitoba Constitutional Task Force in The Pas. It is a real pleasure to be here today. We look forward to some presentations here this afternoon and then some more presentations starting at seven o'clock. If you are able to stay with us for awhile this afternoon and listen or present, we are really pleased to see you. If you can come back tonight, so much the better.

The task force is here to talk about the future of Canada, really to hear you talk about the future of Canada and the future of Manitoba. There are lots of things you can talk about in that very broad area. We have heard some very interesting things so far. We have been up in Dauphin and in Brandon. We were in Thompson yesterday. We had one day in that place down south; I think they call it Winnipeg. We will be back there later this week to have some more hearings in Winnipeg.

When it is all over, we will be reporting to the Government of Manitoba, trying to help them

establish the sort of things we would like them to talk about when they gather with the other provinces and with the Ottawa Government to talk about our future. Of course, that talk is going to have to take place not very far from now, some time later this year into 1992.

As I think everyone in this room knows, Quebec has expressed some very strong desire to change fundamentally its relationship with the rest of the country. It will be no news to this audience that the aboriginal people of Canada have an agenda of things they want to see changed in their relationship with their fellow citizens. Those are the kinds of things that make it necessary for us to listen to you and then to decide what we should be, as Manitobans, saying to the rest of the country.

* (1335)

I have some Members of the Legislature here with me this afternoon. I am delighted to introduce them to you. On my right is Mr. George Hickes. George is the New Democratic Member of the Legislature for Point Douglas. Next to him is Mrs. Shirley Render. Shirley is the Conservative Member of the Legislature for St. Vital. On my left at the far end of the table is Mr. Marcel Laurendeau. He is the Conservative Member of the Legislature for St. Norbert. Next to him is Mr. Jack Reimer, who is the Conservative Member of the Legislature for Niakwa. On my immediate left is Mr. Jim Carr, who is the Deputy Leader of the Liberal Party in Manitoba and Member of the Legislature for Crescentwood.

We are going to be joined very soon by Steve Ashton. Mr. Ashton is the New Democratic Member of the Legislature for Thompson. Steve was with us yesterday, has driven from Thompson to The Pas and will soon be joining us.

I am very sorry, ladies and gentlemen, that your own Member, Oscar Lathlin, is not able to be with us today. I am sure that many of you know that Oscar's mother died on the weekend and her funeral is today. Our sympathy is with the Lathlin family. Oscar is very sorry that he cannot be here, and I speak for the Members of the task force when I say how sorry we are, first of all that the family is in mourning and, secondly, that he cannot be part of our deliberations here in The Pas. He certainly would like to have been here.

My name is Wally Fox-Decent. All this gang over here is recording and translating English and French and that sort of thing. Do not feel in any way uncomfortable about them all. They are all good

people. They listen as well, and I think they have enjoyed the proceedings as we have gone from place to place.

Because this is an official body, we obviously take a record of what has happened. There will in fact be a daily publication of what is said, and if you have appeared before the task force, you will be sent a copy of the record for the day that you appeared.

The rules are simple. You come up and sit down when we ask you to come forward, if you will please. Speak into the microphone. Tell us what you think. There is a time limit of 20 minutes on presentations. After you have had your say, we sometimes have questions from Members of the task force to you. Then when that is finished, we will thank you for your presentation and ask the next person to come forward. You do not have to have a written presentation. It is not in any sense required. If you do have one, we would be happy to have it. We will copy it in enough numbers for the Members of the task force to each look at it while you are making a presentation.

If you are not able or do not wish to present anything to us today person to person but would like to send us something in writing, I assure you that will be read by the Members of the task force. The address for sending us anything is inside this pamphlet. You will see an address printed there where you can send along anything in written form to us.

I am pleased to call on our first presenter this afternoon, the Swampy Cree Tribal Council. I understand Mr. Frank Whitehead is presenting for the council. I wonder if you would come forward, sir, and join us.

Good day to you, sir.

Mr. Frank Whitehead (Swampy Cree Tribal Council): Good day to you.

Mr. Chairman: A good one it is, too.

Mr. Whitehead: Yes, it sure is.

Mr. Chairman: The weather is fantastic.

Mr. Whitehead: It is like this all winter here.

Mr. Chairman: Great to hear.

Mr. Whitehead: I am pleased to be here representing the Swampy Cree Tribal Council. The Swampy Cree Tribal Council is an umbrella organization of seven first nations in northwestern Manitoba, which includes Grand Rapids, Chemawawin, which is in Easterville, Indian Birch, Mathias Colomb, Shoal River, Moose Lake and The Pas Indian Reserve.

Our mandate from the First Nation members is to protect, promote and exercise the aboriginal rights recognized by the treaties and by the Governments of Canada. Our ultimate goal is the creation and development of Indian self-government, and this can only be accomplished if we maintain jurisdiction over our way of life.

* (1340)

Prior to the arrival of the foreign nations to our country, we were self-sustaining nations. We had laws and systems that regulated our way of life, ensuring the preservation and growth of our nationhood. Our laws and systems were, and still are, based on fundamental values of our nation; thus our laws and systems were complete, fair and just. They met the socioeconomic needs of the people in the following areas: education, economics, religion, social development, medical services, tribal justice, management of lands and resources, distribution of resources and wealth.

All people in the tribes had some specific responsibility. Some were given the responsibility to ensure all people received education in all areas of life. Others were given the responsibility to manage and lead in the distribution of resources and wealth. Still others were given the responsibility to ensure people received spiritual guidance, physical healing, spiritual healing. In short, everyone had a role and a responsibility in the preservation of our nationhood.

We are in fact a nation that has a culture, language, customs and traditions since time immemorial. As a nation we are self-governing. However, we also had special relationships with other nations, for example, the Ojibway nation, Sioux nation and so forth. This relationship was extended to the British Empire in the form of treaties. They were made in good faith with the observation of peace and friendship.

The tribes or First Nations have continued the relationship with the Government of Canada through the office of the Governor General of Canada. This relationship started through the delegation by Great Britain of prerogative powers over foreign affairs to the Governor General of Canada, who would exercise the power upon the advice of the Canadian Government. This current instrument of delegation is a comprehensive document which was adopted in 1947 and titled Letters Patent Constitution with the office of the Governor-General of Canada. The federal Government, on behalf of the Crown, has exercised treaty-making powers exclusively, nation to

nation.

As a consequence of Canada's federation, the provinces have claimed treaty-making competence under the Constitution and in international law. The fact that the provinces have jurisdiction in certain areas, as enumerated in Section 92 of the Constitution Act, 1867, has given rise to such claims. This provincial claim has never been accepted and therefore the treaty-making powers are located with the executive branch of the Government which represents the country as a whole, namely the federal Government.

These treaties that our forefathers signed with the British Crown are sacred to us, and they must be recognized and honoured by all Governments. The treaties confirm and reaffirm that the First Nations did not give up their right to aboriginal rights, such as hunting, fishing, trapping, gathering rights, according to our traditional laws and customs which would include traditional conservation of lands and resources.

* (1345)

Historical preservation and constitutional law has established the following: Treaty making has been the process for establishing relations between the Crown and aboriginal peoples; The federal Crown has been the treaty maker in relation to the First Nations treaties; First Nations treaties have not been subjected to provincial ratification due to the following:

Section 132 of the Constitutional Act, 1867, provides that the Parliament and Government of Canada shall have all the powers necessary or proper for performing the trust responsibilities of Canada or any of the provinces thereof as part of the British Empire towards the foreign countries arising under treaties between the Empire and such foreign countries. First Nations and the British Empire were parties to the treaties since Canada only acquired its treaty-making power in 1947.

Section 91(24) gives the federal Parliament and Government the exclusive jurisdiction to deal with Indians and the lands reserved for Indians, and I might add that there is only one legislation in the world—no other country has that kind of relationship with its aboriginal peoples. There is a specific Act in Canada, the Indian Act that derived from the treaties.

The historical relationship Indian First Nations have with the federal Government must not be unilaterally altered. In order to protect Indian treaties from

prejudicial action by the provincial Government, Section 88, formerly 87 of the Indian Act, provides that province laws of general application, applicable to Indians in a province, are subject to the terms of any treaty. Further to that, treaty rights of aboriginal peoples were accorded constitutional protection on April 17, 1982, as provided in Sections 35(1) and 35(3) of the Constitution Act of 1982.

In accordance with its trust responsibility, the federal Government must ensure that the treaty-making process is maintained and not abrogated from or undermined. The process of treaty making is a part of aboriginal history and heritage. In other words we have made treaties prior to making treaties with the British Empire. We have made treaties for various reasons with other nations in this country. The concern of the SCTC members is that the federal-provincial Government actions will continue to erode or otherwise adversely affect aboriginal status and rights.

An example of that would be the situation we have encountered with the Migratory Birds Convention Act. When that Act became law it affected us because it delved into our treaties and we were not consulted with or we were never part of that, the making of the Migratory Birds Convention Act. We were left out. We were left out in many other areas, and this is the reason further Constitution protections are being sought, particularly through the treaty-making process.

We recognize the fact that the province has a legitimate role to play in negotiations with Indian First Nations concerning the Indian self-government process. The role of the provinces should not be entrenched in a Constitution especially if the legal effect of any new amendment would be to expand provincial powers and at the expense of aboriginal peoples. For example, future land claim treaties must fully maintain the existence of aboriginal rights and title to their traditional Indian lands. The federal and provincial Governments must not continue to insist upon the extinguishing of aboriginal title to some Indian lands in exchange for other rights and compensations.

When the treaties were signed, boundaries were set where we can practise our traditional ways of life. As the province entered into Confederation, boundaries were imposed over the treaty territories and certain provincial laws were imposed on the Indian First Nations. We were told that we are citizens of Canada as well as citizens of the province, in this

case Manitoba. We have always recognized and respected the provincial laws and statutes, for example, highways, judicial, et cetera, that apply to all citizens of Manitoba. The Indian First Nations have paid their share of taxes and have contributed greatly to the provincial coffers. It was on these premises that Swampy Cree Tribal Council has decided to participate in the Manitoba Constitutional Task Force.

* (1350)

Our participation in this task force must not be misconstrued by this task force and the provincial Government that we are softening our position that the federal Government has exclusive jurisdiction over the treaty-making process on matters pertaining to the aboriginal peoples. We agree that the province has a legitimate request that they want to be involved in areas where they have jurisdiction. We maintain that the province can in their capacity enter into agreements to protect their own interests. We also maintain that we can enter into bilateral agreements with the province, but these would be ordinary agreements and not treaties.

The federal and the provincial Governments have continued to develop laws and policies that would extinguish and abrogate our inherent treaty rights. Government policy documents, such as the White Paper of 1969, the Penner Report, the Nelson Report, et cetera, were intended to force the Indian people into the mainstream of society. If these policies were successfully implemented, it would have greatly enhanced the genocide of the Indian nations. Even after the new diseases such as tuberculosis and small pox that were introduced to the Indian people by the arrival of the Europeans, we managed to survive all of those atrocities that were forced upon us.

The Premier of Manitoba, Gary Filmon, has stated that this new task force is an extension to the work that was done in the Manitoba Task Force on Meech Lake. Swampy Cree Tribal Council was a participant to this task force, and we have included this submission which I have here as an addendum to our presentation to the Manitoba Constitutional Task Force. The content of the Meech lake submission complements this presentation.

Mr. Chairman: I just wanted to stop you for one second, sir. You have got about five minutes left. Will that be enough for you?

Mr. Whitehead: That will be enough, yes.

Mr. Chairman: Okay, good.

Mr. Whitehead: We all agree that the Constitution is

a challenging task because of the complexity of the multicultural structure of our country. In order for the Canadian Constitution to be effective and representative for all Canadians, the Constitution and any amendments must be formulated on the basis of fairness, justice and inherent rights and not on the basis of political power, political self-interest and political expediency. The myth and general acceptance about the French and English being the founding nations of this country must be corrected. The aboriginal people of Canada must be recognized as founding nations. Because of our generosity, our ancestors made sure that, when Columbus and his party washed ashore, they were fed, clothed and nurtured back to health.

The Canadian Constitution must have a solid foundation, and this can be accomplished by recognizing the aboriginal people of Canada. If not, it will be a shaky Constitution that would eventually lead to the destruction of our great country and would become a part of another country. Those are the fears we have.

We have tried to be part of this process since it was introduced but have been shut out on many occasions. The aboriginal people across Canada participated and made recommendations, for example, to the Meech Lake Accord, and the contents of the Meech Lake Accord totally ignored the aboriginal people of Canada. As a result, we all know what happened on June 23, 1990.

*(1355)

Swampy Cree Tribal Council has recommendations to the Manitoba Constitutional Task Force, and that is the recognition and respect of aboriginal issues in the Government of Canada. We disagree with the Manitoba Government's position that the Senate reform is a priority. We emphatically stress that the aboriginal issues, the injustices that have been done to our people, must be addressed and eventually resolved, for provincial Government after provincial Government has denied their responsibilities to the Indians of Manitoba. They have allowed the majority of our people to live in poverty and deprivation while the rest of society pursued progress and prosperity, unconcerned for the fate of the people who had given up the resources to allow the new people to flourish.

In conclusion, this Manitoba Constitutional Task Force must not ignore the issue of aboriginal people's rights to be entrenched in the Canadian Constitution.

If this recommendation is implemented in this process, it will provide a solid foundation for the Canadian constitutional reform.

Our fundamental rights to our lands and resources, hunting and Indian self-government must be entrenched in the Canadian Constitution and elaborated through the treaties. This will protect our aboriginal rights and treaties, and minimize further erosion of our rights and relationships between first peoples and other non-aboriginal peoples in Canada.

The historical and constitutional role of the federal Government, with the power to make and implement treaties, must be recognized and maintained. Finally, the aboriginal, as the original habitants of this great country, Canada, must never again be ignored but recognized and be full participants in any constitutional reform. Thank you.

Mr. Chairman: Thanks very much, Mr. Whitehead. We have now been joined by Mr. Steve Ashton. As I told you, he was on his way and would be with us soon, and I would like to welcome Steve, the Member of the Legislature for Thompson. The first question will be for Mr. George Hickes.

Mr. George Hickes (Member for Point Douglas): I have a couple of questions I would like to ask you. You are aware, just as everybody is in Manitoba, of the high number of aboriginals that are incarcerated in our jail system, the justice system. It seems to be a vicious circle where people are being put into the jails because they cannot pay or come up with the fines and stuff like that, which I personally feel is not helpful to us. It is not helpful to our own people and stuff like that.

I just wanted to ask you if you could maybe elaborate a bit more on your tribal justice system so I get a better understanding of that.

Mr. Whitehead: We have a unique system, which is often told by the elders of our communities. This judicial system is very democratic throughout the community. It serves everyone, including the children, elders, families and so forth in that. It was not established to protect property, first of all; it was established to protect the individual, based on our cultural values.

Anyway, the federal judicial system that we often talk about takes into consideration the rights of all people, even those that have done some wrong in the community. They have human rights; they have made mistakes. For this reason, our ancestors dealt with them in a unique manner. They did not put them in

jails. As you know, we did not have jails back in those days, or compounds where we kept people when they did something wrong. They made their amends by serving the community in some unique way. We feel that we can still do that today, given the proper resources and opportunities to establish our own judicial system.

We should not have to put people in jail for summary offences, indictable perhaps but not summary offences, where we can put them back into the community to become productive again. That will be a sentence like, for example, cleaning up or providing some unique service to the youth or whatever. That jurisdiction came from the people; it did not come from the Band Council. It came from the people, and that is why they are so strong and powerful. It was everybody's responsibility, not just a select few.

* (1400)

Another example would be the gathering of berries. There were laws on that. If those certain laws were broken, people were punished. Certain areas of our traditional areas here, we would pick berries, but a certain area would be left aside so it would replenish itself. That is a law. If somebody was caught breaking that law, that person would be punished. He would not be put in jail, but he or she would provide a service to the community.

Mr. Hickey: Thank you for that. I just have one more. I will try and be as brief as I can. When we are looking at the whole aspect of a constitutional task force, I am sure we all look at it as possibly our chance to sort of undo some of the wrongs. The reason I mention that is because I would like to ask you about—you mention in your presentation about future land claims. Even in Manitoba there are quite a few outstanding land claims that are still outstanding, and yet we see more development, more resources taken out of the North, and the land claims are still unsettled. Does your group or organization, are you doing anything—when would you like to see those land claims settled?

Mr. Whitehead: We would like to see those land claims settled within a year. We have already made our positions over again in different forums to try and make the Governments understand what we are trying to say. You know that process has been—it has dragged on for too long now, and like you are saying, the longer it drags on, the more resources we lose especially in the North here.

As you know, we have traditional areas, for example, in the North here we have areas where we hunt and fish and traditionally we use that land for our livelihood and way of life. Now those resources are being harvested by Repap and mining industries and so forth, and the more stronger foothold they have in those areas, the fewer our opportunities to have those land claims finished.

Mrs. Shirley Render (Member for St. Vital): If I heard you correctly, you mentioned that you wanted jurisdiction over your way of life. Now, you have mentioned one aspect in response to George's question, the justice. Are there other areas that you see falling within that phrase of yours, jurisdiction over your way of life?

Mr. Whitehead: Another area might be—one we often talk about is the ability to manage our own resources. For example, we have our treaty aboriginal rights to hunt and fish and so forth, but we have no control over that resource. For example, the preservation of the moose, the wildlife management is controlled by the provincial Government. Why can we not take that one area there and manage our own wildlife management, for example, and have jurisdiction over certain areas, treaty areas, co-management, if you will, of natural resources, wildlife management and so forth? I think we can better manage what is going on out there than other people.

Mr. Chairman: Thanks very much. I think I got your first name wrong, sir. It is Wally Whitehead, not Frank, right?

Mr. Whitehead: Frank.

Mr. Chairman: Oh, it is Frank. George told us it was Wally. We had it right the first time.

Mr. Whitehead: It is all right. Some people call me Lawrence.

Mr. Chairman: Here is the kicker from Mr. Carr.

Mr. James Carr (Member for Crescentwood): In addition to sorting through the many claims of aboriginal people, the many just claims of aboriginal people, we also have to sort out the aspirations of the people of Quebec. Do you see the demands made by the Government of Quebec in the same way that you see the aspirations of aboriginal people for sovereignty, for self-government, or do you see the Quebec/English Canada question in a different light?

Mr. Whitehead: Well, as you know we have always maintained that we have no quarrel with the

Government of Quebec. They are seeking special relationships with the federal Government. We understand that they are trying to preserve their culture and their cultural integrity.

We have to maintain that we were first here, you see, and we have to maintain that we were sovereign nations in this country, including what we now call the province of Quebec. If anybody is to be given special recognition and protection of rights, it should be the aboriginal people. We are very, very, I think—what has been said before with what Quebec is going through, we try to understand their situation. We have no quarrels with them. We understand, as long as they do not abrogate our rights in the process.

Mr. Chairman: Okay, thanks very much again, Mr. Whitehead. Our next presenter is Keewatin Community College, Mr. Gary Munroe.

Floor Comment: He will be with us in a minute.

Mr. Chairman: Sorry?

Floor Comment: He will be with us in a couple of minutes.

Mr. Chairman: Oh, okay, a grand entrance.

Mr. Gary Munroe (Keewatin Community College, Business Administration Students, Year 2): First of all, I would like to say, good afternoon to the task force committee, ladies and gentlemen who are present and the broadcast crew. I am representing Keewatin Community College, Business Administration, Year 2 students, and we sort of pooled our interests together on some concerns that we feel are important to us and perhaps maybe some of the other members in our community.

On completion of my presentation on these concerns of ours, perhaps any questions will be directed towards me on completion of this, we will probably have the rest of my classmates to answer some of the questions that you might have as all of us participated to put this report together to present to you guys.

So without—

Mr. Chairman: Could you just pull that microphone a bit closer, sir. It is just a little bit soft.

* (1410)

Mr. Munroe: Okay, without any further delays, I will read what we have prepared to present here today.

What is a Constitution? It is a set of laws and principles that represent the hopes of Canadians, guidelines for those who will govern us and a vision

of Canada as it should be. The Constitution is only a piece of paper unless it is applied both in letter and in spirit to the everyday life of the nation. It is in its application to social and economic issues that the Constitution lives and takes on meaning.

Constitutional reform is an academic exercise if it does not improve the lives of Canadians. When we fight for Canada, what are we fighting for? When we say we are proud to be Canadians, what are we proud of? What does Canada stand for if not equality of opportunity for all her people? Many Canadians will be making known their views on reform of specific sections of the Constitution on the problem of Quebec's place in Canada.

We touch on these issues only briefly. It is our belief that if the Government of Canada would direct its energy to solving the economic and social problems we outline, Canadians from all provinces will attack constitutional problems in a spirit of good will.

As taxpayers, students and parents of a new generation of Manitobans, our concern is that the future of Canada, Manitoba and our local area is being jeopardized by improper priorities and a general lack of direction on the part of the Government on which we depend to provide the structure, security and services we need to fulfill our potential, and to help realize the promise of this country.

Looming over us all is the massive deficit, both the result and the cause of our economic problems. Year by year it grows, consuming more and more of our scarce resources, taking them away from education, health and social services. The federal Government should be able to raise enough money to service and eliminate the debt through the new goods and services tax.

We are very much afraid, however, that Government spending will increase along with revenues. We see a serious lack of control over expenditures which, combined with the absence of real accountability of policy makers to the electors, could lead to the new revenues vanishing without a trace into the vast abyss of Government waste.

Although not the largest component of total spending, waste of resources by all levels of Government, especially the federal level, discourages Canadians and encourages the belief that our Leaders are either incompetent or evil. An example of wasted tax dollars is the misuse of foreign aid dollars by recipient countries. Canadians naturally

think of all the good these dollars could have done if applied to the problems of poverty and illiteracy in Canada.

Closely related to the problem of waste is the belief by many Canadians that our elected Leaders and the people who administer public policy have advantages denied the majority of Canadians. Subsidized meals and certain exemptions from the GST are minor examples, but reinforce the perception that some Canadians are more equal than others.

As taxpayers, one of our major concerns is the way our federal tax dollars are spent. The 1990 federal budget designates only 16.2 cents out of every tax dollar for transfer payments which fund education, health care and social programs, while allocating 27.8 cents for interest on the national debt.

Not budgeted for are the potentially massive expenses on the war in the Middle East. Where will this money come from? It would be tragic if it were taken from the education budget; not only tragic for the individuals deprived of an education, but in the long run very expensive, as uneducated people put more of a strain on welfare and health care services.

Because we are students, education is of special concern to us. Many of us could not complete our post-secondary education without assistance from some level of Government. Spending cuts by the federal Government could reduce transfer payments to the provinces. This would affect the quality and accessibility of the education system. We are concerned not only for post-secondary, but also for primary and elementary education, both on a personal level, because many of us have children in school, and also on a broader level.

Lower quality education in elementary school would put additional strain on high schools and post-secondary institutions and result in a work force unable to compete in the increasingly demanding world economy. Cuts in funding for education may limit the number of students returning to school to complete post-secondary education and may destroy all chances of such students to enroll in programs of four years or longer.

A large number of returning students are those who did not have a chance equal to that of most Canadians to high quality high school education. Students sponsored by CEIC, the Department of Northern Affairs and other agencies would be affected. The cutting or limiting of funding would certainly result in high unemployment, increased welfare payments,

and a general loss of interest in working on the part of discouraged people.

Approximately 24 percent of Canada's adult population is illiterate, 8 percent basic and 16 percent functional illiteracy. The reduction of Government spending on education will greatly increase this percentage and lead to future illiterate generations. These percentages look especially bad when they are hardly lower than the world rate of 27.7 percent. Education is important if Canadians are to take advantage of technological advances and not be surpassed by other countries.

For the past year there have been extensive rumours regarding abolition of the ACCESS program in Manitoba. The University of Manitoba and the Red River Community College ACCESS programs give assistance to persons who wish to study there, but who cannot do so because of social, economic, cultural or geographic reasons.

Keewatin Community College gives priority to status and non-status Indians and Metis people who are residents of northern Manitoba. What will happen to the students who are currently being funded through ACCESS? Where will their funding come from when DIAND, CEIC, and other agencies are also cutting their funding?

The ACCESS programs at the University of Manitoba were informed in July 1990 that the contracts under which their programs are being offered are being terminated. New contracts were promised but to date have not been negotiated. Applications for the 1991 intake of students were sent out to a number of communities under the assumption that there will be an intake. There is no clear indication that there will be one. The ACCESS program at KCC is guaranteed funding until the end of the 1992 school year. New contracts have not yet been signed for the future. The elimination of ACCESS is of great concern to students and employees. Funding for education will be harder to get and people who are employed in the ACCESS program may lose their jobs.

Education is the key to full membership in Canadian society for victims of poverty and unemployment. For those looking for an alternative to the welfare system, these people depend on funding agencies to direct them to training opportunities and provide them with the means to pursue them. If funds are cut what will happen to these destitute people? What will happen to their children? Discouraged, lacking motivation, they will fall behind in school, be

labelled slow learners and drop out of school. Aside from the individual tragedies, Canada will have acquired a lifelong liability of providing for indigent people and lost a valuable resource, a skilled work force.

* (1420)

Health care in Manitoba is very important and visible right now with the nurses' strike. Health care services are suffering with the nurses away from their jobs. We need them back at work.

The nurses went on strike asking for a 27 percent increase in wages over a two-year period but have since dropped their demand to 24 percent over a two-year period. Manitoba nurses are the eighth lowest paid nurses in the country. Even with this pay increase, they will not become the highest.

Management refuses to pay this amount. Management's offer has been only 14 percent over two years which is below what is being demanded by the nurses' union.

The 1990 Manitoba budget included a provision for a major increase for health care. Why does the province/management say that there is no money to pay for the wage increase demanded?

Those who suffer most from cutbacks in health care funding are the poor, the elderly, and the young. A true test of a Constitution is the way it protects those people who are least able to protect themselves. As with education, funding cuts are costly in the long term. Services not available locally must be obtained from other provinces or in the United States at great cost. It is cheaper to provide proper health care to children than to correct chronic medical problems when they become adults.

Exemplifying the current popular feelings of a lack of control over the political process and the actions of Government is the controversy over Senate reform.

Before any sort of constitutional change occurs, the Government of Canada must make many changes to the Senate. As the Senate sits right now, the senators are appointed by the Prime Minister. This is unacceptable as it results in patronage. People who do not belong in a Government are appointed because they are owed favours by the Prime Minister. Meanwhile, honest, hardworking people who are deserving of appointments are passed over. This leads to a Senate that is a puppet of the Prime Minister. This should be changed and changed fast. The ideal Senate would be a Triple-E Senate. That is a Senate that is equal, effective and elected. All

provinces and territories would be equally represented by an elected official. The least that Manitoba will accept is a Senate that is equal and elected.

The fastest growing business in Canada today appears to be the food bank business. They are springing up in every town and city in the country. In a 1989 survey published by the Canadian Association of Food Banks close to 400,000 use food banks every month and a startling 1.4 million people including 560,000 children use them at least once a year. Canadians living near the poverty line are finding that their wages or welfare payments are not enough to keep food on the table.

Unemployment and inflation have skyrocketed. People's self worth and trust in the Government have plummeted. The Canadian Government's answer to this problem is to cut social assistance funding, impose another tax on the people and create a Tory-made recession.

The Government does have to curb spending to control the deficit. However, the wrong programs are being cut. Education, health care, and social programs cannot afford cuts. Canada's future prosperity depends on them. Instead, Government waste should be restrained. Canada sends the largest delegation of any country to some international conferences. The country also supports programs like the \$30,000 study that discovered the anti-forgery squares on the \$50 dollar bills are poisonous, but only if eaten from bills totalling \$9.6 million. Waste like this should be stopped. Canadians want better control of Government spending because they no longer believe the federal Government is competent.

As Canadians, we should have a vision of our country as a whole. As citizens of The Pas, Manitoba, we have specific concerns about our local area. We would like to know what the provincial and federal Governments' long-range plans are for north-central Manitoba.

In particular, we would like the Governments to make public their plans for economic development. We need to know if we and our children have a future in the northern two-thirds of Manitoba.

Canada has much to gain from developing the resources and seaport of northern Manitoba. We hope lack of political advantage will not obscure potential economic advantages.

Constitutional reform must concentrate on

increasing the extent to which those who govern are both representative of and responsible to the people they govern. This can be accomplished only by improving the quality of life of all Canadians.

Mr. Chairman: Thank you very much, sir. You stayed within the time limit. That first bell is five minutes left, and we have not heard the second bell yet, so you did very well.

Mr. Munroe: Well, I am glad I made it through that.

Mr. Chairman: We now move to the question period, and the first question will be by Jim Carr.

Mr. Carr: Mr. Munroe, actually I do not have a question, but I have a comment and a compliment. Please take back to your classmates a sense that, at least speaking for myself, you have done a terrific job of not only marshalling statistics that are important and valuable, but also presenting ideas, and I think uniquely presented a combination of ideas that we have not seen before, yet.

As we go back to Winnipeg and study the presentations given to us by people across the province, this will be a very important one, not only because of the ideas and the research, but also because of young people who take enough concern about the future of their country to put this kind of work into a project. I compliment you and thank you very much.

Mr. Munroe: I would like to say thank you, and I am sure all of my classmates heard that, because we are here as a—class is right sitting behind me, back here.

Mr. Chairman: Maybe they would all stand up, I would like to see them. I think we would all like to see who they are. That gray-haired one at the end, the old one, must be the teacher. Is that right?

Mr. Munroe: No, actually, he is a student.

Mr. Chairman: Really? That is great. Other questions?

Mr. Steve Ashton (Member for Thompson): I was certainly impressed, too, in terms of the issues you have covered, and you certainly have gone to a great deal of effort to point out that there is a lot more happening when we are talking about constitutions than laws and dry legal documents and debates amongst one set of lawyers vis-a-vis the rest, because there is a lot more at stake.

I just want to ask you, because I found your comments particularly on education to be appropriate being a class of students and appropriate because a lot of the comments I heard, a lot of the fears that were

expressed about what is happening, say, for example to ACCESS programs and funding generally are concerns I have heard. I know in Thompson, a lot of the people in the ACCESS programs there are very, very concerned about what is going to happen over the next number of years.

I just want to ask you, I take it from the brief you are essentially saying that you cannot have a whole constitution unless you deal with issues like educational access, so am I correct in saying that you want to make sure the Constitution will ensure that, for example, in the case of ACCESS programs, that the federal Government has the jurisdiction, not only that, but the obligation to provide those kind of opportunities. The reason I am saying that is because there are some people who fear that if we water down our country too much, in terms of powers, et cetera, you may end up finding that is the first thing that will suffer, things like health and education where the federal Government will say, well, we are not going to have anything to do with this any more. That seems to be what is happening in the North, quite frankly, in terms of ACCESS programs.

I just wanted to get clear on the record what your views were in terms of education.

* (1430)

Mr. Munroe: Okay, for education I guess our main concerns are that Government seems to, well, a political Member of one of the Parties came to KCC last year. They were discussing something about budget cuts on education programs. This is a very great concern for our class. Most of the people in town here, it seems to be very important that an individual get an equal opportunity to get an education. We know that Canada's illiteracy rate is quite high. Technological changes are approaching us at a fast pace. I think that for us education is important, the cuts that are being done on them, be left the way they are so individuals like me and other individuals across Canada will have an opportunity to go to school. You need an education to compete for these jobs.

Mr. Ashton: So, in other words, you feel that there has to be some sort of reflection in whatever we are doing of equal access to education. I know part of the problem sometimes with wording in constitutions—it says we are all created equal, we all have the freedom to do this and that, but if you come from a northern community where there is no high school and you have never been able to finish high school, if you have had to drop out for financial reasons or personal

reasons, it is very easy to say, oh, well, there is this ACCESS down in Winnipeg. That is where the ACCESS programs and KCC come in in terms of providing the North.

So you would like to see something in the Constitution that assures that people such as yourself and the rest of us here in the North get equal access to things like education.

Mr. Munroe: Right.

Mr. Hickes: I also appreciated your presentation and your concern about education and also in health, because I personally have worked in adult education for quite a few number of years, and I know how important it is to individuals.

My question is a little different. You mentioned quite a bit about health. You know that we have a universal—

Mr. Munroe: Can I stop you for a moment? I will get one of my classmates—

Mr. Hickes: Who is the health critic?

Mr. Munroe:—to come up here and perhaps answer any questions you have on health.

Floor Comment: Ask the question first, then I will see whether I will come up there.

Mr. Hickes: It is just a very broad question. You are probably aware that we have a universal health care system in Canada. We have heard different options thrown around, where people are saying, regional responsibilities and stuff for different provinces. I would just like to ask you your view on a universal health care system that is accessible by all Canadians or a regional health care system where it could be introduced user fees, charges for meals, like a two-tier system. Which would you favour? What is your response to that?

Mr. Munroe: I will get Dan to answer that question.

Mr. Dan Ricard (Keewatin Community College, Business Administration Students, Year 2): Well, firstly, for the record I guess I should clarify that the gray-haired fellow on the end is in fact a student and not a teacher.

Mr. Chairman: I do apologize, sir. Anybody who is wrongly mistaken for a teacher deserves to have an apology. I am one so I know what I am talking about.

Mr. Ricard: On the issue of health care, primarily our whole presentation here has been related to the fact that we feel that with better management of the economic funds of Governments, we could all enjoy

a better health care system, education system and so forth. With equality in the health care system, we are kind of lacking in the North. For example, a simple thing like when a woman has to come down to The Pas from a town like, say, Flin Flon to have pregnancy tests or anything like that, she has to travel 200 miles, whereas people who live in the cities just kind of take those things for granted. Or older folks who are retired who have to be sent into Winnipeg for medical examinations or any sort of medical care have to travel 1,000 miles—for example, from Flin Flon it is 1000 miles there and back—and a lot of times they are put on a bus.

If you can imagine a 78-year-old or an 85-year-old gentleman or lady travelling 1,000 miles by bus, it is quite an ordeal, but those sorts of things are basically I think taken for granted by a lot of people who live in the South, and we do not really feel we always have equal representation in that regard here in the North. Thank you.

Mr. Chairman: Well, I want to again offer on behalf of our group, the task force, our thanks and our congratulations for an absolutely first-class presentation. Thank you very much to all the students of Business Admin 2 from Keewatin Community College. Thank you.

Our next presenter is Mr. Bruce Unfried, the Mayor of The Pas. Good afternoon, Mr. Mayor.

Mr. Bruce Unfried (Private Citizen): Good afternoon, Mr. Fox-Decent, and welcome once again to the town of The Pas. I believe you were here back in April of 1989 at which time we had an opportunity to speak very briefly about Meech Lake, and you are back again today, and I would like to formally welcome you and the Members of the Legislative Assembly.

When I walked in here I was a little stunned because Jack Reimer and I were schoolmates together, so hopefully he will go easy on me during the presentation.

You had indicated that you wanted wide-ranging presentations, and this one is going to be wide-ranging because it has been rewritten about four times, and as each day goes by I have tried to rewrite it once again. What I would like to talk about briefly today is, I have prepared a brief and I do not wish to speak directly all the time to the brief. There are some other specific issues I would like to raise. I will follow the presentation I have prepared.

Again, I would like to formally welcome the

Members of the Legislative Assembly to our community as well as welcome again to yourself, Mr. Fox-Decent, the Chairperson. I hope the presentations today will be constructive and will assist each of you in your deliberations.

During the visit of the Meech Lake Task Force in The Pas on April 18, 1989, I did have an opportunity to make a brief presentation on the process or lack of process for public input into the Meech Lake debate. At that time I felt there was no clearly defined input for the public to voice their concerns. I also indicated that people of Manitoba wanted the chance to state their views. The people did not want to ratify a done deal.

Debate, and more particularly, constitutional debate is not the sole right of governments. It is the inherent right of all people. The people of Manitoba displayed their interest in the late, lamented Meech Lake debate by involving themselves in the public hearings which were held across Manitoba. It has been noted that the task force, of which some of you were members, listened to 289 public presentations and over 300 individual presentations. Also, the task force received over 50 submissions by mail. I find it somewhat incomprehensible that five provinces did not hold public hearings.

Fortunately, the Province of Manitoba decided to hold public hearings and, in doing so, was the only western province to allow for a forum of public debate. Saskatchewan and British Columbia ratified the accord with no public input, and Alberta ratified the accord with no formal process in place.

There can be no doubt in my mind that this type of behaviour by governments created a considerable amount of anger and frustration in western Canada. I do not believe that Manitobans and other residents of prairie provinces are anti-Ottawa or anti-Quebec. They want a chance to participate in the democratic process.

I raise the above points because it did form a large part of my presentation in 1989. I was pleased to see that the Manitoba Task Force on Meech Lake recommended in its final report that public hearings be held after the First Ministers agree to constitutional change and before they sign it.

* (1440)

I also voiced on behalf of the town some previous concerns about shared-cost programs. I did not then, nor do I now, support the concept that will allow the federal Government to provide compensation to the Government of a province that chooses not to

participate in a national cost-shared program. This would appear to fly in the face of our vision of a country which allows equal access to education and health care programs.

This community has greatly benefited from the financial resources of a strong central Government which has been able to provide cost-shared funds for many of our major projects. I speak of our town offices and the Friendship Centre where you are sitting today, our water treatment plant, cost-shared funds for recreational programs and for paving programs. We as a community do not have the tax base to take on these projects in isolation.

With reference to the ongoing debate on the Senate, there is a need for an elected Senate with equal representation from each province. I would suggest that two senators be elected from each province, one designated from the South, another from the North. The need for an ongoing constitutional conference is paramount to working on Senate reform. However, these conferences should also include issues and matters which impact upon the aboriginal peoples of Canada.

I would like to refocus my presentation on the process involved in trying to generate some discussion for constitutional reform in Canada. Over the past couple of days I have heard with interest comments from yourselves and members of the media to the effect that the presentations lacked specifics. They lacked concrete recommendations and, of course, the usual refrain was that politicians do not seem to listen any more.

I believe that the above comments are fair criticism, but let us put the comments in their proper context. The Province of Quebec issued their list of recommendations for constitutional change on January 28. The proposals are very wide-reaching and will, if implemented, change the face of this country. There is also an 18-month limit on a response from the Government of Canada and from the people of Canada. Already this is being construed as a threat and/or an ultimatum. I would propose today that we could utilize the time line by having the province of Manitoba set a similar time line to develop a document which would reflect the aspirations of Manitobans.

Prior to going into the specific points that I made in terms of the process, I would like to just go back and say that I do not think that the adage holds true that politicians do not listen any more. I happen to think

that they do listen, but I happen to think that we are not really—as Manitobans and perhaps Canadians, we are more interested in telling people what we are against as opposed to what we are for. I think at this time Manitoba could take a lead role in generating discussion on the type of Canada we want to see and the type of province we want to see.

If you were to ask me the specifics about Senate reform, I cannot give it to you today. If you were to ask me the specifics about Native self-government, I could not give it to you today. The list is endless in terms of the types of issues that we, as a province, have to start talking about at a local level and a regional level, and more importantly, at a provincial level.

I think what has happened is that quite often the feelings and the views put forward by the public at large often become diluted as they weave their way through the provincial Legislatures where people are compelled to more or less vote along Party lines as well as with the federal Government. If we had followed that process, we probably would be saddled with Meech Lake today, because Mr. Harper broke with Party ranks and made a decision that it was not to proceed until certain other issues had been dealt with.

The proposal I would like to put forward, Mr. Chairman, would be to have the Member of the Legislative Assembly convene meetings on constitutional reform in his or her constituency, also, to chair the meetings, develop an agenda. Meetings should be held in communities, villages, reserves, whatever communities are available, are there within the different constituencies. I think it is important that we have all the information that is being put forward, whether it refers to the position that Quebec is now asking the rest of Canada to deal with, issues related to aboriginal concerns, women's groups. These types of issues could form the agenda for discussion.

The process then would include having the Member of the Legislative Assembly responsible for the preparation of a report emanating from his or her constituency, and this would be discussed and debated prior to ratification. Hopefully, the Members of the Legislative Assembly then would be held accountable to reflect the desires of his or her constituency. I think in putting down this kind of a process, Mr. Chairman, I would hope that we would look at a framework to get more discussion going at a provincial level.

The obvious question becomes, well, how would this interface with the Citizens' Forum on discussion that is also going across Canada holding a series of meetings. I think there is a vast difference. I think people are much more comfortable speaking with their local elected MLA as they are to people making up the constitutional task force for the federal Government. That is no reflection on any of the members on that committee that is going across Canada.

I also believe that our elected MLAs are the ones who know their constituencies, who know what the needs and concerns are. At that point, I think, people can then say, these are the issues we want to see enshrined in Constitution. This is what we want the politicians, the Government of the province of Manitoba to go forward with. I am concerned about the time line; I am concerned about the urgency to this process.

I guess what my last paragraph would be is that there are a lot of other emerging issues in the world at this time, so I do not think you should construe lack of detail and precise recommendations as disinterest. It seems to me that if we want to truly proceed with constitutional reform, then we should try and do it right. Thank you for the opportunity to present these views today.

Mr. Chairman: Thank you very much, Mr. Unfried. Any questions? Mrs. Render.

Mrs. Render: You sort of preempted one of my questions when you said that you could not answer any specifics, so I will not ask you any specifics, but I just wanted to say you put forward some very interesting suggestions here. You were not answering specifics on the Constitution, but you have come up with something else that is equally constructive, and I think all of us will talk about that.

Just a word on going into each of our own constituencies, I think perhaps one of the reasons why the task force is put together as it is, is that sometimes we all listen with a different set of ears, so when I go into my constituency, I may only hear or take back what I want to hear. Sometimes that is a fault with politicians, so there is a reason for an all-Party task force, but I think that there is a lot of validity to your comments here. Again, thank you for taking the time to think it out and for coming forward with these kinds of suggestions.

Also, I was interested in your suggestions on the Senate, having a member from both the North and the

South. Unless my ears have been closed, I do not remember hearing that suggestion before, and certainly here in Manitoba that would be a very effective kind of representation.

Mr. Chairman: Any other questions or comments? Yes, Mr. Ashton.

Mr. Ashton: You have some interesting suggestions, sir, as to process. We had a number of people yesterday in Thompson indicate that they felt it should go beyond the task force. I am just wondering if you had any brief suggestions in terms of what the task force itself can do further than what it is doing in terms of public hearings.

Mr. Unfried: Well, I first came to praise you and now I guess I will have to—it seems to me that maybe one of the best recommendations that could come forward is that each of you have to feel in your mind that you are able to reflect the views of Manitobans, and I am not sure that that can be done by holding six meetings in six different places.

I recognize that there are time constraints, et cetera, but it seems to me that it could be done in such a way that we could get greater involvement from the public at the local level. I happen to think that not everybody feels comfortable coming into a room, appearing before yourself, and I recognize that you can do it by mail, and there are other ways we can submit them, but it seems to me that if we take it one step backwards and if your group went backwards and reported to the Legislature, that maybe we should rethink the process.

* (1450)

We are not under a June 21 deadline of any kind that I am aware of. It seems to me that one of the suggestions might be to perhaps look at individual MLAs going back to constituencies and setting up some type of a hearing process themselves and then being held accountable for the views of the people. Again, I do not share the view that politicians do not listen and that they only bring a Party line to a specific problem.

The Constitution is much too important to vote along Party lines. I think it has to reflect the people of the constituency that MLAs represent, their feelings and views, and I recognize that there could be 57 recommendations from 57 constituencies. That may happen; I do not think it will.

Mr. Chairman: Thanks again, Mr. Unfried. We are going to take just a short break now and be back about three o'clock, 10 minutes from now, and we will be

hearing from the Moose Lake Band. Mr. Lloyd Martin will be presenting.

The hearing took recess at 2:52 p.m.

After Recess

The hearing resumed at 3:05 p.m.

Mr. Chairman: We are back in session. I would like to welcome Mr. Lloyd Martin, speaking for the Moose Lake Band. Go ahead, sir.

Mr. Lloyd Martin (Moose Lake Indian Band): Okay, thank you. Well, as you have stated, my name is Lloyd Martin. I am a member of the Moose Lake Indian Band and, professionally, I operate in the capacity as assistant to chief and council of Moose Lake Indian Band. So this presentation is on behalf of the chief and council and the membership of the Moose Lake First Nations.

Moose Lake Indian Band is a signatory to Treaty No. 5, and our membership is well over 800. We are affiliated with Swampy Cree Tribal Council, Manitoba Keewatinow Okimakanak, that is the northern chiefs' organization, and the Assembly of Manitoba Chiefs.

As will be stated in the Assembly of Manitoba Chiefs' submission to this task force, the submission was supposed to have been made on the 2nd of February; however, that has been put to a later date.

The First Nations are the original peoples of Canada, and we have made the greatest contribution to Manitoba and Canada. We shared our land with everyone. However, being the distinct and unique people that we are, the people of First Nations can continue to make great contributions by helping to develop a truly national document, one that respects and recognizes all nations of the land we call Canada.

Our ancestors, the original peoples of Canada, had a moral obligation to share the vast wealth and bounty this land had to offer. It can be assumed that our forefathers lacked foresight, however, we must remember that they lacked the experience of dealing with non-aboriginal peoples of this land and signed treaties in good faith.

At this point in history, First Nations and this task force are obligated to lead the way for constitutional justice. We as First Nations have a moral obligation to our children to learn from the mistakes of our history, so we will not repeat it. We must ensure our children's future by fully participating as equals in the

design of the Constitution of Canada, and we must also participate in any proposed amendments.

The task force obligation is, of course, to the rest of the people and to yourselves and to listen to us, to understand and appreciate our perspective and to place our concerns as a high priority in any constitutional reforms in order to achieve constitutional equality and justice.

If we as Canadians can learn from our mistakes, then we can offer hope to all people of this country in not repeating the pattern. A good example of this is the Meech Lake Accord. The basis and integrity of any Constitution goes back to its roots. In fact, the framework of anything is only as good as its foundation. With this in mind, the Constitution of Canada must reflect the hopes and aspirations of its founders, namely, the aboriginal people and to exclude them from the framework or the structure of the Constitution would be a tragedy, and the injustice that arises would be detrimental to all peoples of Canada.

To ensure a solid and sound framework or structure, you need a solid foundation. The aboriginal people of this country were a vital component of the foundation. They are now and always will be. If First Nations are removed or left out of the process of developing the framework of the Constitution of Canada, this national document will lack a solid base, and common sense dictates it would not have a solid nor sound framework. I drew these conclusions from my experience as a carpenter.

Our constitutional structure cannot ignore the inherent rights of the aboriginal people of this country. We want to preserve and protect our distinctiveness, our languages, our cultures, customs and institutions as a society. We want and deserve more freedom in cultivating our individual and collective identities. Our constitutional structure cannot be considered sound nor democratic if it is to ignore the priority and principles of constitutional justice for aboriginal peoples. In fact, these are to be considered the top priority of constitutional reform.

The principles are—I have six:

1. The recognition of aboriginal peoples as the fundamental and original characteristic of Canada.

2. The recognition of aboriginal peoples as distinct societies with protection for aboriginal languages, cultures, traditions and institutions.

*(1510)

3. The fulfillment of all treaties, including the land claims agreements signed between the aboriginal peoples and the non-aboriginal Governments.

4. The recognition and protection of the inherent right of self-government of aboriginal peoples.

5. The recognition and protection of our right of aboriginal title.

6. The right of aboriginal peoples to participate as equals in the process of constitutional change.

An example of the near genocide and suppression of our culture is apparent in our languages. Using Cree as an example, how many people are aware of the distinctiveness of our language? The word Canada is derived from the Cree term "Ka-kan-a-tak," meaning sacred and bountiful. The word Manitoba is also derived from the Cree term, "Manitou-api," meaning where Creator sat down. Our language and our people have made significant contributions to this society.

Due to the violent suppression of the past, Governments of Canada using the full force of their legal systems have severely bastardized the cultural, religious, linguistic and governmental practices of First Nations.

Ceremonies such as the sweat lodge, which is a method of purification for the mind, body and spirit, were outlawed and the aboriginal people had to improvise this ritual. Where the original practice was to sweat in the daytime, it was improvised in order to continue the ceremony and we were forced to practise this ritual at night for fear of being thrown in jail. To this day, some aboriginal people who choose to practise this ceremony do so at night, not knowing this was a necessity at one time because of the risks involved in one's practising his own religious convictions.

Another example is the pipe, where our culture was on the verge of extinction. The original pipes had large stems, ranging anywhere from one to three feet long depending on if it was a personal or tribal pipe. As a result of the oppression aboriginal people, out of necessity and to be able to continue in their religious beliefs, had to use a lot smaller stems. This was a simple matter of convenience, actually. It was a lot easier to hide the pipes with the small stems. However, some members of our distinct society, through no fault of their own, continue to use small-stem pipes, and some actually believe and term them medicine or power pipes. These are just two examples of how bastardized our culture has

become.

This destructive kind of action and bastardized version of our culture has to stop in order for Canada to continue in this foundation of sacredness and bounty.

We, as Canadians, have to learn from the obvious ignorance and lack of foresight of our forefathers and honour the land we call Canada if it is to continue to secure and protect our children's future so that they can enjoy the benefits of this great country. We must collectively put our limited perspectives aside and pave a bright future for our children so that they can be proud of us and they will be able to pave a new and brighter future for their own children. We owe it to our grandchildren to learn from our mistakes, so we will not have to repeat them and they will not have to pay for them. We owe it to ourselves as human beings to ensure a Constitution based on dignity, integrity and justice for all people of this country.

Therefore, the Moose Lake Indian Band fully supports the recommendations that will be made by the Assembly of Manitoba Chiefs to this constitutional task force. They are as follows:

1. The Assembly of Manitoba Chiefs recommends that aboriginal issues be the first priority in all constitutional discussions.

2. The Assembly of Manitoba Chiefs recommends that the Province of Manitoba refuse to participate in any constitutional discussions with other Governments that do not have aboriginal issues as the first priority.

3. The Assembly of Manitoba Chiefs urges all aboriginal peoples and non-aboriginal organizations and individuals to refuse to participate in any constitutional discussions that do not have aboriginal issues as the first priority.

4. The Assembly of Manitoba Chiefs recommends that the Constitution of Canada be amended to recognize aboriginal peoples as the fundamental and original characteristic of Canada.

5. The Assembly of Manitoba Chiefs recommends that the Manitoba Act, 1870, as the basic constitutional document of the province, be amended to recognize aboriginal peoples as the fundamental and original characteristic of Canada.

6. The Assembly of Manitoba Chiefs recommends that the Constitution of Canada and the province be amended to recognize the existence of French-speaking and English-speaking peoples,

Quebec's distinctive society and Canada's multicultural heritage as fundamental characteristics of Canada.

7. The Assembly of Manitoba Chiefs recommends that the Constitution of Canada and the Manitoba Act, 1870, be amended to recognize aboriginal peoples as distinct societies, with our own languages, cultures, traditions and institutions.

8. The Assembly of Manitoba Chiefs recommends that the Constitution of Canada and the Manitoba Act, 1870, be amended to commit the Governments of Canada and the provinces to the protection and promotion of aboriginal languages, cultures, traditions and institutions, including protection and promotion of education in aboriginal language.

9. The Assembly of Manitoba Chiefs recommends that the Constitution of Canada and the Manitoba Act, 1870, be amended to recognize our right to protect and promote our languages, cultures, traditions and institutions, including our right to be educated in our own language.

10. The Assembly of Manitoba Chiefs recommends that the Constitution of Canada and the Manitoba Act, 1870, be amended to recognize our inherent right of self-government and the existence of aboriginal governments as a third order of Government in Canada.

11. The Assembly of Manitoba Chiefs recommends that the Indian Act be radically revised and renamed to render it consistent with aboriginal sovereignty, such revision to be made in accordance with the wishes of the First Nations.

12. The Assembly of Manitoba Chiefs recommends that the Department of Indian Affairs be dismantled in accordance with aboriginal self-government, and a radically revised and renamed Indian Act.

13. The Assembly of Manitoba Chiefs recommends that the Province of Manitoba use all political means at its disposal to assist the First Nations in our calls for the dismantling of the Department of Indian Affairs.

14. The Assembly of Manitoba Chiefs recommends that the Constitution of Canada and the Manitoba Act, 1870, be amended to recognize our right of aboriginal "title," as defined by aboriginal peoples to signify our original and special relationship to Mother Earth.

15. The Assembly of Manitoba Chiefs recommends that an office of aboriginal advocate be established reporting directly to the House of Commons and free from Government interference with responsibility for

ensuring federal compliance with existing treaties and with the responsibility for the negotiation of outstanding land claims.

16. The Assembly of Manitoba Chiefs recommends that an office of aboriginal advocate be established in the province of Manitoba reporting directly to the Legislative Assembly with responsibility for ensuring provincial compliance with the treaties between the First Nations and the federal Government.

17. The Assembly of Manitoba Chiefs recommends that all proposals regarding reform of the constitutional process be assessed in accordance with the top priority given to constitutional justice for aboriginal peoples and the recognition that aboriginal peoples have a unique place in Canada and have a distinct order of government.

18. The Assembly of Manitoba Chiefs recommends that aboriginal peoples be equal participants in all constitutional conferences.

That concludes a presentation by the Moose Lake Indian Band.

* (1520)

Mr. Chairman: Thank you very much, sir. Will you be giving us a written presentation?

Mr. Martin: Yes, I will.

Mr. Chairman: We certainly would like to have the—

Mr. Martin: I wanted you to listen to me.

Mr. Chairman: Yes.

Mr. Martin: I am not going to say I kind of lied. I did lie to your secretary. I do have the typed-up version of my presentation and I will be giving it to her. Thank you.

Mr. Chairman: I understand what you are saying. There is greater impact sometimes if you do not have the written in front of you and you see it later. We certainly want to have that and make sure we have it all. Of course it is recorded.

Thank you very much for your presentation. Are there any questions?

Mr. Hickes: I would just like to touch a little bit on—you mentioned about maintaining aboriginal culture and language. Did you mean to introduce it into the academic school system? In the school system now you have French that is part of the languages taught in schools in northern Manitoba.

Your community I know just down here in Moose Lake the language most people speak is Cree. Is that what you are referring to, that you have to introduce

the aboriginal culture and the language as part of the whole school system?

Mr. Martin: Yes, right now the Moose Lake Indian Band is in the process of trying to gain complete control of our educational system. Right now it is provided by Frontier School Division with some concessions such as Cree language, but that is the university version of Cree.

I am happy to say that as a result of the isolation in the past of our community we have retained a pretty good original version of our language. It has not been severely bastardized. We still talk good Cree. It is not baby Cree.

I also commend for example The Pas Indian Band, for getting control and getting their own school. I have heard comments from this community as to the pros and cons of such a move, that these people will not be able to compete in society being educated with non-Natives. I totally disagree with that, because the Ukrainian people seem to be doing rather well in Dauphin and most of their educators are Ukrainian. They do not have to compete with a larger society. I think only time will tell as to what effect such a move would have on The Pas band's move to gain control of their education. I think it is a very good move.

Mr. Jack Reimer (Member for Nisakwa): Just a matter of clarification, you were making a presentation at the Moose Lake Band. You referred to the Manitoba Assembly of Chiefs. Were you implying that their brief is also on those same lines, or were you making a presentation also as a spokesperson for the Manitoba Assembly of Chiefs?

Mr. Martin: I am glad you brought that question up so I can clarify it. This presentation is on behalf of the Chief and council and the membership of Moose Lake First Nation. As I stated there, Moose Lake Indian Band fully supports, as a result of the presentation I made, therefore the Moose Lake Indian Band fully supports the recommendations of the Assembly of Manitoba Chiefs to the Manitoba Constitutional Task Force. They are as follows, and I read them out. AMC was supposed to make their submission on the 2nd, however they have not. I contacted the political adviser, Moses Okimow just previous to my making this presentation and there have not been any changes to the recommendations that AMC will be making. I was stating that Moose Lake Indian Band fully supports these recommendations.

Mr. Chairman: The Assembly of Chiefs are quite happy for you to have scooped them.

Mr. Martin: Actually they said go ahead and endorse him so we are endorsing him and supporting him fully.

Mr. Chairman: A lot of what you said to us today, sir, is very new for us, particularly the references to the amendment to the Manitoba Act and there were several of those. It was very interesting indeed to hear the presentation.

Mr. Martin: I think my purpose will be more clearly identifiable when AMC makes their submission so you will be aware, and as far as clarification, they will be able to clarify any questions you may have on that. They have the legal expertise; I do not. I found out I had to make this presentation on Tuesday so I was just drawing some conclusions based on my perceptions.

Mr. Chairman: A very interesting preview shall we say of what will be in from the assembly. Thank you very much.

Mr. Martin: Thank you.

Mr. Chairman: The next presenter is on behalf of another presenter, as I understand it. The presenter is Ms. Tack, who is presenting for Alyson Barnett-Cowan. In that Ms. Tack is a proxy, she has requested that there be no questions.

Ms. Michal Tack, on behalf of Alyson Barnett-Cowan (Private Citizen): Well, I certainly cannot answer on this presentation, I am afraid, because I only got handed it this afternoon after I got here, to be told that Alyson was sick with the flu and would I give it for her.

Mr. Chairman: Fully understood. We could actually take it as read, if you wish, Ms. Tack. We certainly will read it, of course.

Ms. Tack: I think she rather wanted it into the record, which is why she requested that it be read.

Mr. Chairman: Right.

Ms. Tack: Because she has some, I think, very new ideas in it, on a quick going through it first.

Mr. Chairman: You are aware of the time limits?

Ms. Tack: Yes, I am. Yes. Actually, I am a retired medical doctor. I have been taking classes for the past four years at the Henry Budd college for ministry, and I think this is why I have got landed with it.

I wanted to take this opportunity to share my thoughts on the never-ending story of constitutional reform, even though recent events have made me pretty cynical about our ability to do anything very constructive. As Canadians today, we seem to have

a lot of concern, but not a lot of sense of direction, partly because of a real leadership vacuum and partly because of our alienation from real decision making. Our frustration on so many levels leads many of us to blame other segments of our society, whether racial, linguistic, economical, or other regions, so we have lost the ability to listen to one another.

Since I began to think about this presentation, I have become even more depressed by reports that civil servants in Ottawa, in spite of their high language about wanting to hear from the people, are quietly remaking the entire structure of our nation in secret to fit the agenda of a Prime Minister who has been hard at work for seven years fraying it apart, piece by piece, to sell to the highest bidder. We may be kept busy talking in round after round of talks like these while the real decisions are made elsewhere, probably not in our best interests.

However, I am encouraged by the good sense of so many of us who at least have retained the will for positive change, even if we do not have the solutions. I have to go on hoping that those of you who have been asked to listen will indeed do so and that you will work with all your powers to make sure that, not only our voice, but our power are made known and effective.

In regard to the constitutional direction of Canada, I should say at the beginning that I was brought up with a vision of a bilingual, bicultural country, which respected minority rights, knew it had a moral obligation to do something better about aboriginal people and which worked for peace and development in the world. I am now convinced, that country, if it ever really existed, exists no longer. It is too late to resurrect the dream of English minority rights in Quebec, and it is too late to sell bilingualism to the majority of the rest of Canada. It is too late to think that we, later immigrants to Canada, will all be convinced that they owe justice to its first inhabitants. It is too late for us to pretend that we have a vision of peace to offer to the world. The death of Meech Lake, the riots in Chateaugay and the Prime Minister's personal declaration of war have killed that dream.

* (1530)

It is very clear that Quebec will not go back to the negotiating table to settle for less than was available in the Meech Lake package. It is also very clear that the majority of other Canadians rejected that package for very good reasons. There might have been another way, a way of attentive negotiation, but that

way was rejected, and not by people from Newfoundland or Manitoba.

So what can we do with the present situation? Quebec has offered two versions of what they would like. The Pequist solution is sovereignty with an unspecified association with the rest of Canada. They seem to offer some prospect of self-government for the aboriginal people of Quebec. The Liberal Party of Quebec wants a vast decentralization of powers, certainly for themselves and possibly for the other provinces if we want them. There are not likely to be any better solutions offered by Quebec.

It seems to me that there are four scenarios for Canada, which Manitobans must consider in the face of these options:

1. An out and out rejection of Quebec demands—this would lead to unilateral action on the part of Quebec, an acrimonious separation agreement and possibly even more. No one really wants to do this.

2. A sovereign Quebec with a loose economic association with the rest of Canada—under this option, the nine remaining provinces would probably have to opt for a much stronger central Government in order to hold together a nation that is split geographically. With some tinkering with Senate reform, it would be possible though difficult to maintain in a united country of the nine. There would obviously have to be some forum for trans-Quebec transportation and the many other things which separate nations have to negotiate. The price of removing Quebec's contribution to Canada, both in terms of people and resources, notwithstanding them taking their share of the national debt, would be enormous.

Most of our national non-governmental organizations include a large portion of Quebecers. Will groups like the Red Cross, the Canadian Cancer Society and professional organizations be able to continue across national boundaries, or will everything have to be restructured—at what cost? The status of Canada in the world would demonstrably shrink as everyone else watched us go in completely the opposite direction to constructive arenas like Europe. Among the obvious losers, would be Manitoban Francophones, because the bitterness of the split would undoubtedly affect the willingness of other Manitobans to respect their rights and heritage. Other losers would certainly be the aboriginal people of Quebec, who have already

started losing in that province's strong aversion of itself.

On the positive side, there are many of us who would prefer to see a strong federal Government, provided it should really act as if it were accountable to the people. Returned fair equalization and transfer payments could help preserve medicare and higher education from the ravages that this decentralist Government is inflicting on it. It could be the unexpected salvation of the Port of Churchill, since the Arctic waters could become an important way around Quebec. Manitobans need to consider this option strongly, and there is good evidence that it is doing so.

3. A very loose federal structure such as Quebec proposes, with virtually all the powers given over to the provinces—the advantage of this would be that we would have the opportunity in Manitoba, at least, to try going it on our own without interference from central Canada. We could see whether it would work. I suspect that the results for smaller provinces will be severe, for there would be no transfer payments and no amendments for regional disparity. Without a national vision, the richer provinces would have no motivation to help the poorer. Crossing provincial boundaries would become a nightmare, and it is already not that great.

The cost to taxpayers could be enormous if we, in this province, for example, had to fund all our own programs from our own pocket. There would be very little opportunity to do anything as a nation. At the very time that power blocks are becoming larger, we would be fragmented. What would happen to aboriginal treaties which have been entrusted by the Queen and which are protected by the federal Government? There would be no one to guarantee their rights.

4. I want to suggest a more radical vision—and please remember, I favour this option only because the option I would really like, the nation I grew up in, no longer exists. I would foresee a federal structure with a radically redrawn political map, with six major divisions: Atlantic Canada—although Newfoundland, for cultural reasons, might want to be a seventh—Quebec, Ontario, the Prairies, British Columbia and aboriginal land. The aboriginal component would consist of land under aboriginal title, plus the bulk of the present territories and would be a political unit with some geographical diversity as is the case with the Maori in New Zealand.

Each existing province would lose some territory.

Quebec would not retain the Hudson Bay land given to Canada in 1912, for example. Inuit, Cree Naskapi, Ojibway, Dene, Niska, et cetera—all the First Nations—would have to embark on a long negotiating process to determine how this division would work. It would be a grand attempt at giving aboriginal people self-government with a land base which actually gave them some strong economic possibilities.

Non-status Indians, Metis communities and other communities in the North would have the choice of being under aboriginal jurisdiction or under the geographical territory in which they live. For example, here in The Pas, the Pas Reserve, Umpherville and Moose Lake, both status and non-status, might opt for the aboriginal jurisdiction, while Cormorant and the town of The Pas and its subdivisions would be part of the Prairies. Some of the Yukon might opt to go with British Columbia, while other parts went with aboriginal territory.

The divisions of power would include some of those proposed by the Allaire report, including language legislation. Each division could choose its official languages based on regional realities. In addition to present provincial powers, there would be regional policing, most of environmental regulation, employment and immigration.

Obviously, with overlapping geography, there would have to be strong federal structures in place to arbitrate disputes, to regulate portability of benefits between regions, to govern trade and international affairs. A federal House with equal representation from each division would be the best Legislature. How to fill the executive branch is a problem. We could try rotating presidency, the way the EEC does, but I think this would be a problem at the international level. The federal House could elect the Prime Minister; the alternative would be the American model of an elected president, but there is too much danger of monarchical behaviour and too much voting weight given to the larger territories. A strong Supreme Court would be needed for national issues and territorial disputes.

What would be the advantages of this for Manitoba over the other models? One advantage of having Manitoba take part in a larger Prairie unit is obvious. We would have a larger taxation basis for those programs which would be developed regionally, and we would save the expense of separate programs in a small region. There would, of course, have to be a Legislature in each region in which Manitobans would be represented by population and local area. There

would be a serious fight about where the capital of the region would be, so Winnipeggers might be less happy with this idea than someone from The Pas, who would still feel alienated from any of the cities. For the most part, there would be more hands-on decision making that relates to our regional realities.

Why would Quebec buy it? Because, when all is said and done, the tides of the times are against small nations. They might not give up their northern territories without a fight, but then, if the rights of Nouveau Quebec were debated in an international court, as they surely would be at the request of the Cree and the Inuit, Quebec would lose. Lower Canada has no real claim to the North, and Northerners would certainly prefer a northern option. Quebec would not have to worry about aboriginal people within its jurisdiction. I admit that Quebec's Anglophones would have little protection, but the reality is that they do not under any of the options.

Southerners would probably find it far easier to treat aboriginal people with respect when they have to deal with them as equal partners in a federal system and when they have to use just methods to obtain access to northern resources. Many of the irritants between aboriginal and non-aboriginal people would be removed because they could be dealt with Government to Government.

* (1540)

I realize this vision would be a headache to establish. There would have to be a long period of careful negotiation about which territory went there, what would have to be done between regions and what federally, but I think that, if there is any shred of neutral respect left in this country, it could be done. It would never succeed if we approach it as a power grab on all sides. It would have to be presented to the nation as an opportunity of drawing a political map that makes sense and which gives the maximum opportunity to each region and people, to fair treatment and to a democratic say in their future.

I also realize that the realities of power are such that there really is not much likelihood of this option succeeding, but it does present a model for some fundamental principles that many of us would like to see preserved in the new version of the country: (1) real enshrinement of aboriginal title and self-government, including the aboriginal people of Quebec; (2) language policies that make sense for the people in a region, including minorities; (3) regional legislatures to deal with regional matters; (4)

a federal system which allows for compensation for the poorer regions and equal programs across the country and which still enables Canada to have a strong peacekeeping voice in the world; (5) an executive branch which has to be more accountable to the electorate; (6) respect for and protection of minorities. This is the brief that we present to you.

Mr. Chairman: Thank you very much, Ms. Tack. I wish you would convey to Ms. Barnett-Cowan our appreciation for the thought and indeed the eloquence that has gone into this written document. Is the author a minister in The Pas?

Ms. Tack: Yes, she is.

Mr. Chairman: I see. Thank you very much, again.

Ms. Tack: Thank you.

Mr. Chairman: Convey our wishes to her for a speedy recovery.

Our next presenter is Dawna Pritchard. Hi.

Ms. Dawna Pritchard (Private Citizen): Hi, welcome back to The Pas. You have a new group with you.

Mr. Chairman: Thank you.

Ms. Pritchard: I am presenting as an individual this time. The last time we had the opportunity to do Meech Lake stuff, I had to be a little more constrained and reserved, being a representative of an organization, so I can be a little more radical this time.

I found this whole afternoon so interesting, because except with the comments on the Senate, I find myself in agreement with a lot of the presentations. I think, well, this is amazing; we can have consensus in this country with a few minor points of division.

These discussions should have occurred five years ago. The Meech Lake debate has done possible irreparable damage to the Canadian identity and the future of this nation. It has also resulted in an unprecedented cynicism of Government and politicians—no offence intended to you guys. I hope that the self-serving power grab of the First Ministers was a direct cause of the constitutional crisis. This cynicism has probably affected this constitutional debate process itself, since a number of the people I know thought this would lead nowhere, but hope springs eternal. Plus, I was very much impressed at the turnout that showed up, so my basic premise of cynicism may be inaccurate.

As will become evident in this presentation, I have several biases based in principles of feminism, human rights and federalism. I believe Quebec is unique with respect to the rest of the provinces, and

I am prepared to make a number of sacrifices and concessions to woo Quebec in, but not at the expense of a total disintegration of federalism. Also, I disagree with the concept of two founding nations, which does not acknowledge the First Nations and their just claims. I think, this afternoon, we have had some wonderful presentations on that aspect.

If I was to develop a shopping list of what I would like a constitution to be, it must be based upon tolerance, equality, justice and peace. It should be considered unconstitutional if the voices of women, the differently-abled, First Nations, the multicultural community are not adequately heard or represented. It should be considered unconstitutional if the majority—perhaps better phrased as those with power given that men only constitute 42 percent of the population but comprise 85 percent of the parliamentary representatives—rides roughshod over those with limited political or economic power without taking into account diversity of opinion and the need to share power and empower individuals.

My vision of Canada would include:

1. Primacy of the Charter of Rights and Freedoms: Improvements will evolve with time. For example, I would call for an inclusion of sexual orientation, and an appropriate amending formula must be negotiated not only by the First Ministers but by those citizen groups directly affected.

2. The Constitution should have provisions to ensure that Parliament reflect the pluralistic nature of the nation. This could be accomplished by encouraging political Parties to nominate individuals reflecting this pluralism: women, differently-abled, aboriginal people and the multicultural community in winnable ridings by the use of carrots and sticks or by setting aside specific ridings similar to what Alyson was talking about, based not on province or geography but on community of interest.

3. I would like to see a provision for Canada to be identified as a peacekeeper nation, possibly even neutral politically and encompassing the concept of peace with Earth as well as on Earth. My ideal of national defence would be one devoted to preventing ecological destruction with any armed service serving primarily as a peacekeeping force, not to be confused with the escort service that we are now providing to America.

4. The fourth one would be acceptance of the concept of nations within nations, whether that be relevant to Quebec or the First Nations. Aboriginal

sovereignty is not at question but how this can be accomplished. This must take place with direct negotiations with aboriginal peoples, both the leaders and the communities. Given that so many of the obligations set forward in the treaties have not been fulfilled by the Canadian Government, that many of these treaties were based on fraudulent misrepresentation of their content, and the basic concept of some European monarch granting land he did not own to corporations without consultation with the inhabitants of that land is morally repugnant, I would believe that First Nations are in an extremely strong negotiating position. For example, I think they could say the whole thing is null and void, they are taking back their land, and the rest of us are just in ownership of stolen property.

5. A commitment to sharing and co-operation with provinces and territories is another objective I would have for a constitution. This has to be demonstrated through consistent social programs, provision for rectifying economic disparities in the region and national standards for child care, education, health, environmental protection and economic development.

Just as an aside, I realize that education is still primarily provincial, but I think the KCC students adequately indicated the national necessities for some involvement in ensuring national standards.

Provincial politicians spend too much energy creating and defending their own concepts of nationalism and empire without acknowledging the Canadian populace is relatively transient. Half my relatives who were born in Manitoba are living in B.C. I believe the future Canada should be prepared to make as best a deal as possible with Quebec, but that each province not contribute to the further balkanization of the nation.

As for the Senate, I think an inordinate amount of time has been spent discussing this thing. I think probably because people like talking about something they can see. It is something they can fix. However, contrary to Premier Filmon's assertion that Manitobans favour a Triple-E Senate, this Manitoban does not. When I hear the debates on Senate reform, what I hear are western regions expressing the concern that the higher populace of central Canada dominates all political decisions.

No Triple-E Senate can ever change this picture. It can only encourage more regional divisiveness with western provinces still being in a minority. I would

rather see the Senate eliminated and converted into a day care to accommodate the influx of women parliamentarians and, of course, the wonderful nurturing male parents that will be needing such service.

The only other concession I would make is if it is deemed that we need a Senate—again very similar to what Alyson was talking about—a Senate comprised not only of regionally elected representatives, but representatives of community groups, a different kind of constituency—First Nations, the Inuit Tapirisat, National Action Committee on the Status of Women, national organizations reflecting multicultural groups, et cetera. However, with an effective Parliament I do not think this would be necessary and just constitutes an unwarranted expenditure.

* (1550)

Thank you for your time and I appreciate you coming up to our community.

Mr. Chairman: Thank you for your time and for your delightful humour mixed in with what is clearly a very serious proposition.

Ms. Pritchard: There is no humour there. I really want to redecorate the little Chamber in the Senate.

Mr. Chairman: Interesting idea. Any questions?

Mr. Ashton: I am particularly intrigued by that suggestion. I mean, someone suggests, after some of the events with the GST, that the existing Senate has already taken the first steps of converting into a day care because with some of their antics I think some of us who want to see the Senate abolished or changed would certainly reinforce that.

Ms. Pritchard: There are more rules in a day care.

Mr. Ashton: That is true, that is true. What I wanted to ask you, though, I was also intrigued by your comments that if it was to be reformed, and I take it from your presentation you prefer to see it abolished, you are suggesting that provinces are not the only groups in Canada, the only political bodies, the only communities that need to be considered. I notice you referenced First Nations, women, for example, multicultural groups.

I am wondering if you are suggesting by your comments really that those groups would still be excluded, certainly from a Triple-E Senate or a double-E or a single-E or whatever kind of E, and that if there was to be any kind of a reformed Senate, it should reflect more than just the provincial

communities, but also those communities that you have identified.

Ms. Pritchard: That is exactly what I was trying to get across, is that all the concepts I have seen of Triple-E are based on two representatives per region—I did appreciate Bruce mentioning north and south which made that acknowledgement. If each province were only to elect two representatives, how can we guarantee that they would not be representing the interests exclusively of major corporations, Chamber of Commerce—nothing wrong with the Chamber of Commerce, but if I were a welfare mom I really do not think they could talk on my behalf.

Mr. Ashton: As I said, an interesting suggestion. Another question I had in terms of your perspective, as you said this time you are presenting as an individual as compared to other opportunities you have had in terms of organizations, but I want to talk in terms of the women's movement generally.

Along with aboriginal people, I would say the women's movement spearheaded the fight against the Meech Lake Accord and was certainly very vocal at presentations of the previous task force, certainly very vocal in terms of lobbying of individual MLAs and M.P.s. Obviously the defeat of Meech Lake was seen as a response to that. Obviously Elijah Harper's role was very significant, but also the coalition that developed around that.

I am just wondering, looking ahead, and we are facing some tough time in terms of the country, in terms of the constitutional debate, what do you see as happening over the next couple of years? I am asking for your perspective knowing your activity in terms of women's issues. What do you see happening on constitutional issues in the next couple of years? Was Meech Lake a one-shot deal, or are people still interested and still putting forward suggestions in terms of constitutional reform?

Ms. Pritchard: The obvious attendance at today's meeting indicates that people are interested and surpassed my own expectations of interest. I think it is very difficult that all of you in that same position are doing forecasts. We are in a war, we are in a recession. Things have become extremely more difficult. Normally there is a tendency toward more federalist kinds of programs dealing with those kinds of economic needs. I just cannot tell you.

I know the one thing that Meech has definitely changed, how women and aboriginal people view their place in the Constitution. Before we were sort of

quiet and felt that our opinion did not matter since we did not know the issues that well, but the behaviour of the First Ministers has clearly demonstrated that anybody can speak without knowing anything.

Mr. Ashton: Indeed. Thanks very much.

Mr. Chairman: Thanks very much, Ms. Pritchard.

Ms. Pritchard: Thank you for your time.

Mr. Chairman: We still have some five presentations on this afternoon's list, ladies and gentlemen. I do not want to put any pressure on participants to shorten their interventions, but anything you can do to help us will be appreciated. We have another agenda, of course, this evening, and we are anxious to be able to hear everybody.

The next presenters are on behalf of the Opasquik Women's Resource Service, Evelyn Ballantyne and Kathy Cooper. Good afternoon, ladies. We have your written document. Thank you.

Ms. Evelyn Ballantyne (Opasquik Women's Resource Service): Good afternoon. My name is Evelyn Ballantyne, I am a resource co-ordinator, and this is Kathy Cooper. She is the administrative assistant, and we both work for the Opasquik Women's Resource Service. On behalf of the Opasquik Women's Resource Service, we wish to express our appreciation for this opportunity to have our concerns heard.

The Opasquik Women's Resource Service is a satellite office of the Northern Women's Resource Service based in Flin Flon. It is governed by the Opasquik Aboriginal Women Inc. OWRS is committed to improving the status of all women and their families. Our main activities focus on the needs of aboriginal women. The following brief addresses the following: 1) education; 2) literacy; 3) direct service delivery for aboriginal women and children.

Because of all the programs that are being cut at the federal level, such as education, we feel anxious to say that out of the several programs that have been and are being cut, education is the most viable program as well as the most resourceful program in terms of reaching one's goal.

The aboriginal people have excelled in all areas of the education field. They have and will continue to utilize the services provided regardless of the cutbacks. The aboriginal people know that education is the key to success and equality. The aboriginal people can be just as successful as the mainstream society given the opportunity to do so.

Going back to the promises made to the first people between 1817 and 1929, the aboriginal nations conducted negotiations with the British Government resulting in the signing of more than 20 major international treaties negotiated upon and signed. It is now 1991 and we are just now beginning to see visible educational facilities on the reserves. Many years have come and gone since the signing of the treaties. Is the federal Government willing to access monies to aboriginal people in areas and which suits the needs of aboriginal people, or will the federal Government continue to move in the manner which oppresses the lives of aboriginal people?

Education is not a privilege, it is a need. It is an aboriginal treaty right. Aboriginal people were assured under a signed treaty the right to education. It is required to preserve life, value and Indian self-determination and, as it states in the treaties, would always be provided.

I am going to let Kathy speak on because I am getting too emotional on some of the issues so she is going to continue on.

Ms. Kathy Cooper (Opasquik Women's Resource Service): Good afternoon. I would also like to welcome all of you to The Pas. I am just sorry not to see Oscar here with us today. I would like to continue our presentation.

Another issue which directly relates to education is literacy. Literacy programs, as of yet, are not provided at the reserve level. The programs which are being provided are the responsibility of the provinces, yet there is an ongoing awareness that literacy is a need at the reserve level. The federal Government, as well as the provincial Government, must take a look at this issue and make necessary changes within the Constitution in order to suit the needs of the aboriginal people. Education, as we said earlier, is a right of the first people of this nation, the aboriginal people.

The Opasquik Aboriginal Women Inc. presented a brief to the province of Manitoba at the public hearings in regard to the Meech Lake Accord. At that time, they quoted: "The Governments have set up reservations for our people. We see these as concentration camps. By keeping our people in these places, they do not have the same opportunity to flourish to their full potential in regards to economic stability, political representation, legal systems, education and the social system."

In terms of education, the residential schools again were the great plan of action by the Governments. It

took a long time to realize that this was not going to work, and we are seeing the effects of this system today.

* (1600)

Very little or nothing is available for aboriginal women at the reserve level in regard to resources. The aboriginal community at large should have access to direct service delivery within their own boundaries—example, crisis shelters for women and children. The crisis shelters that do exist are located either in towns or in the cities. The programs offered within the shelters are non-Native oriented. Once again, the aboriginal women are not getting their needs met through the existing service delivery programs.

We understand the shelters are provincially and/or federally funded programs. We also understand that the reserves are a federal responsibility. Once again, what we see happening here is Government control, or we may express ourselves by stating that the Government is telling us: "Since you cannot manage your own affairs, we will do it for you."

The aboriginal women will continue to speak out and state their needs as they know it is required in order to make a difference in their lives. Therefore, we ask the panel here today, why do we, as aboriginal women, and our children have to resort to non-Native protection? Why are we not given the mandate to take responsibility of our own needs? We need the resources. The federal Government has the responsibility to provide the needs of all aboriginal people, be it men, women or children, at the reserve level.

The aboriginal people have proven time and time again that they will no longer stop at the limitations as well as the stereotyping from the non-Native society. The death of the Meech Lake Accord was the prime example of personal power that aboriginal people have. Aboriginal people do know what they need and what is good for them.

In conclusion, you, the panel, may be wondering why we chose to present specific issues. We believe that the issues we spoke of today directly relate to the promises which are known as treaties and have not been followed through. We believed the treaties were signed to work within the best interests of aboriginal people. As it turned out, the treaties were ignored for many years by the Governments. For us, we believe that the treaties and the Constitution should protect the rights of all aboriginal people.

The aboriginal people see themselves as a distinct society. They are people with unique characteristics. We have the right to be recognized as the first people. We have a right to be part of the major decision makings—example, the constitutional amendments. We have the right to make a difference.

The French say it is important to protect their language which is under siege, being surrounding by English-speaking North America. We feel the aboriginal languages are in more jeopardy than the French language. Two years ago a study was done by a professor which stated that only three aboriginal languages will survive. If we lose our language, we lose our culture. The Cree language will be one of the three that will survive. Thank you.

Mr. Chairman: Thank you very much.

Mr. Ashton: I thank you for your presentation, and I can sense the feeling that went into it and the frustration with what has been happening. In fact, I want to ask just one very brief question in terms of Constitutions.

With Meech Lake, a lot of people suggested that the important priority was to get Quebec to sign the Constitution. Others criticized it saying the most important priority was to reform the Senate. I want to ask your perspective, as aboriginal women, in terms of those specific things because what I sense you are saying is aboriginal issues have to be just as much of a priority, if not more of a priority, than reformed Senates or dealing with legitimate concerns in regard to Quebec. I would just like to ask you how you respond to people who say, we have to reform the Senate, or we have to get Quebec's signature on Confederation. That is the priority. What is your response to that?

Ms. Cooper: First of all, I really strongly believe that we are the first people of this nation, and we have the right to make decisions for ourselves regardless of what the French say or do. We feel that we should be put first because without us you would not be where you are today, and we know that, you know that.

Mr. Ashton: It is an interesting perspective and, by the way, I find your comment interesting too, about making a difference because one thing I have heard so many times is that one person cannot make a difference, but as you point out, Elijah Harper, speaking as he did in terms of aboriginal people generally, did make a difference.

I sense that is what you are saying in your presentation, is aboriginal people now are saying they

want to be heard, and concerns are not going to be put on the back burner. Thanks for your very forceful presentation.

Mr. Chairman: Thank you very much.

Ms. Cooper: Thank you.

Mr. Chairman: Oh, I am sorry. We have another question.

Mr. Hickes: I just wanted to touch on the whole preservation of culture and language again that you mentioned. There are 53 aboriginal languages in Canada. In the federal study that was conducted, like you said in your report, there will only be three that will be maintained, and that is, Ojibway, Cree and—

Ms. Cooper: Inuktitut.

Mr. Hickes: Inuktitut, which is my language, and I find it so frustrating. I share how frustrated you get because I feel the same way, because we keep talking about trying to preserve our language and how can we continue it for our children to learn it, and I have—there are 12 children in my family. The six of us that are the oldest, we still speak our own language, but the six younger ones, they have lost it because we brought it home from school, and we kept speaking in English all the time and they have lost it.

How can we introduce aboriginal languages into our school system? Is there any way that you can suggest that we could start to try and introduce it into the school system and keep it there?

Ms. Ballantyne: I guess because I am also one who went to residential schools and did have to learn English, but fortunately I did not forget my language—I think as a start, with the schools now beginning to open at the reserves, we should be able to get that Cree language back into the school system. It should not be hard to do because if they can get French into an English-speaking school, why not Cree into an all Indian school? I cannot see that it is going to be a problem at all, and I hope that it will not be.

Mr. Hickes: I just wanted to add to that that probably we could get that started at the reserve level. You have a lot of aboriginals that move to urban centres, and stuff like that, that have the potential of losing it. Maybe that is something that we could work on as MLAs.

Ms. Ballantyne: I think the movement with aboriginal people speaking out and stating that they have a right will make any form of movement easier as time goes on. The French worked hard to get where they are,

but we can work hard too, and that is what we are doing today. I believe someday that it will be recognized, and we will be recognized as a First Nation once again.

Mr. Hickes: Very reassuring.

Mr. Chairman: Thank you very much.

The next presenter, Mr. Len Kolton. Good afternoon, sir. You have been a patient listener. Thanks for waiting.

Mr. Len Kolton (Private Citizen): Mr. Chairman, Members of the committee and concerned citizens, my name is Len Kolton and my occupation is farming.

I would like to express my opinions on the future of Canada, Manitoba's place in it and our Constitution. My concerns are about national unity, national services, Senate reform and aboriginal rights.

On national unity, I would like to say that I want Quebec to stay in Canada. I understand their impatience to have some changes in the Constitution, but these changes take many years and cannot be imposed by deadlines. Changes to the Constitution at this time requires the wisdom, maturity and intelligence of political leaders and their visions. These visions must be accepted by the majority of Canadians, with their input first, and made very clear.

* (1610)

It is clear to me that the majority of Canadians rejected the Meech Lake Accord and were not convinced by our politicians of the recent proposed changes. Perhaps Quebec and Canada should have more patience and wait for a wiser set of national and provincial leaders who have a clearer vision of Canada and the unity of it. Yes, we should look for changes to the Constitution and bring it up to date from time to time, but let us not be too hasty.

The Constitution and the Charter of Rights and Freedoms is a document that we will live by for hundreds of years. It clearly states that there must be equality for all with no discrimination to race, religion, creed, gender and culture, as it should be.

Let us remember that historically the Constitution and the Charter of Rights and Freedoms were created to protect citizens from governing rulers. This still applies today. Let us be careful how our Government leaders want to change our Constitution and Charter of Rights and Freedoms. I do not want changes to lessen those rights and freedoms. Equality is the key word for all Canadians in all regions of Canada, both rurally and in big cities.

I would like to see the notwithstanding clause removed. It is clearly a power that provinces can use to lessen equality rights. It has been seen that French only signs in Quebec do exactly that. If a province wants to use or make such laws, it must not supersede the Charter of Rights and Freedoms.

All of Canada has, for many years, taken a course to provide Government bilingual services, bilingual education services, across the nation. This has been a big investment in time, money and effort to keep the French language alive and well. Quebec must be reminded that we, as a nation, have made this investment on their behalf. Let us not lose this investment.

It is wrong for Quebecers to assume that we do not understand them. Understanding works both ways. Quebec separatist politicians seem to misunderstand us as well. Maybe some improvements in these services must be made, but in time they will.

Provincial Governments must not abandon these commitments to national unity. It should be made to work and with patience, I am sure it will. Again, let us remember constitutions and charters of rights and freedoms are made to work for the people and not for the leaders.

I feel that this is why the Meech Lake Accord failed. It seemed to be an accord to satisfy some politicians rather than the people. It has also left out completely some people; namely, our aboriginal citizens.

The amending formula for constitutional change can still be worked out. It is not too late for that. Give our provincial leaders some more time. Our Constitution and Charter of Rights and Freedoms is not a bad document. Some leaders say it is not a good document, but I beg to differ. Compare it to all those countries who do not have one at all. There are many examples. Let us be careful about someone telling us what is good or bad for us.

On national services, the federal Government must maintain powers in federal services, services such as medicare, UIC, agriculture, immigration, regional development, energy, public security, income security and the environment. By having these powers, they can better control regional disparity and keep equal standards in those services, such as medicare.

For example, if one or more provinces want to control immigration, they can start to pick and choose in the areas of race, religion, age, language, et cetera. This would undermine the Charter of Rights and

Freedoms. It leaves those powers open to abuse by 10 provinces and two territories, rather than one level of Government. This would be more complicated. It is not to say that our present politicians would have used these terms, but future leaders could.

In medicare, poorer provinces could not keep up the standards of richer provinces. The cost to the average person would be tremendous. We would see our medicare system erode and decline and then perish. We have the best health care system in the world. Some say it is expensive to have, but I say it is worth every penny.

In education, are poorer provinces going to end up with second-class education systems? If, for example, Manitoba could not keep up with the national standards, would getting a job in other parts of this country mean Manitobans could be discriminated against if our reputation as a province showed we were substandard in our educational system?

The same goes for other areas such as social security, social income, regional development, and so on. Substandard services will end up being created in different regions especially rural areas away from the big cities. This would be detrimental to national unity.

When one or more provinces get these powers, what recourse would the average citizen have as far as the Constitution and Charter of Rights and Freedoms is concerned? Can he or she turn to the Supreme Court of Canada, or would he or she be limited to only provincial high court? Will we be weakening our federal justice system by transferring powers to the provinces? Will the Supreme Court of Canada say it is no longer in their jurisdiction? We must not weaken our present federal justice system; improve it, yes, but do not weaken it. Our federal Government must oversee these powers and apply them equally to all regions and territories.

When a federal Government seeks to reduce or offload responsibility to the provinces, it is in effect offloading national unity to the provinces as well. Our country is so vast that there is no way provinces will be able to keep national unity in mind when it makes decisions. Regional interests would be more important. These national services are directly related to national unity.

Past examples of offloading has decreased national unity. Service decreases in Canada Post, VIA Rail, CBC, and airline deregulation has had a big

impact on rural Canadians. Maybe in big cities they have not felt the decrease in services, but ask anyone who lives in small town Canada and he or she will tell you they feel the loss of those services and do not feel as Canadian as big city Canadians. National unity is directly related to national services. The absence of these services is felt more in rural Manitoba than it is in heavily populated areas where there is no train, plane, post office or CBC channel with rural interests in mind.

On Senate reform, historically, the Senate was created to be the second sober thought of all laws being passed by the elected Government of the Day. It was a good principle, however, the Senate was also supposed to monitor these laws and show how they would affect Canadians under the British North America Act and our Constitution and Charter of Rights and Freedoms.

Mr. Chairman: There is just five minutes left, sir. You may want to summarize the rest, or if you think you can get through it—

Mr. Kolton: I think I will make it, sir.

In the past they have not always done their job properly. For example, women were not always allowed to vote or hold public office. Aboriginal people were not always allowed to vote until recently. Cultural rights of people were not always protected. Certain ethnic groups were in prison during the war against their rights. Inequities and discrimination can still take place. There are questions about the rights of children, handicapped people, discrimination of our aged people and aboriginal rights, for example.

The Senate should have never allowed laws to be passed without having all consequences in mind. All laws passed in the Senate must make sure no Canadian is subjected to any inequities on an ongoing basis. It is my opinion that the Senate has not been effective in its second sober thought. The Senate has become an institution that has become a place of political patronage by the elected Government of the Day. Laws are passed only by the majority leaning in a certain political direction.

It is my opinion that the Senate should be abolished. It has not always kept all laws within the confines of the BNA Act or our present Constitution and Charter of Rights and Freedoms. It has not kept Governments from breaking certain laws such as internment prisoners of certain ethnic backgrounds during the war.

A body of people should be created as a type of

constitutional watchdog, having the power to rescind any laws that do not adhere to our Constitution and Charter of Rights. This body of people should be made up of people who truly reflect Canadians; for example, people of both genders, handicapped people, aboriginal people, people of different ages, people of different race and religion. This body of constitutional watchdog should be created by non-political beings, perhaps by the top courts of the provinces and Ottawa for example.

* (1620)

On aboriginal rights, it is clear to me from recent events at Oka, Quebec and across this country that aboriginal rights are not addressed. When an army is called in to take action against fellow Canadians, this is a shocking reality. They have said over and over again that they are not treated equally as other Canadians and want justice served.

In my opinion, they are not served equally in the justice system or have the same benefits as the rest of Canadians. Their education, employment, housing, medical care, their children, their sick and elderly are not treated equally as ours. They want to take a part in this country and clearly want to be recognized in our Constitution. Let them do this. They have a right to self-determination, just as we do.

It is my opinion that these concerns must be addressed and take precedence before any other concern. This should be a No. 1 priority because they have waited the longest to have their concerns answered. Let us get on with it.

In conclusion, Mr. Chairman, the powers of the Constitution and Charter of Rights and Freedoms must be maintained by the federal Government. It cannot be weakened. Power transfers to the provinces must be carefully studied. Will it benefit the citizens of Canada, or is it simply power for the sake of power, to be used as provinces see fit for their own benefit regardless of how it affects national unity? Let us be patient and work this out.

Of course, I want Quebec to stay in Canada, but as equals with equal opportunity to live and prosper, with common goals to improve our own life and the life of our country. Manitoba must work in that direction. Decisions made today have a direct bearing on the future of this country. Thank you, Mr. Chairman and Members of the Committee.

Mr. Chairman: Thank you, Mr. Kolton. Questions?

Mrs. Rander: Your paper is very self-explanatory, but I have a question on your residence. I notice you are

from Beausejour, and here you are up in The Pas.

Mr. Kolton: Yes, I am visiting The Pas. I have been here for two weeks, and I am going to be staying a few more days and would be missing the hearings in Winnipeg, so I asked permission from the task force office, and they said I could make my presentation here.

Mr. Chairman: Thanks very much, Mr. Kolton. Our next presenter is Fletcher Stewart. I guess, sir, to be accurate, you are presenting on behalf of yourself and another person, Pat and Fletcher Stewart.

Mr. Fletcher Stewart (Private Citizen): Myself and my wife who, I guess, had to go back to work. You may meet her in other guises. She works for the Swampy Cree Tribal Council as a nurse. I am an Anglican priest, one of the many in The Pas.

Mr. Chairman and Members of the committee, thank you for this opportunity to share our ideas about the Constitution. Pat and I are a married couple with Christian convictions. One of us was born and raised in Manitoba; one of us is an immigrant. Both of us are Canadian.

Principles. We are not here to write the Constitution but to discuss some basic principles that should go into it. We believe in co-operation and equality rather than competition, peaceful relations between neighbours, international community and national self-determination. Those who are affected by decisions should have a say in them, and Constitutions should not be written behind closed doors.

We rejoice in the kind of unity that emerges out of a mosaic of diversity. We value the unique contribution of Quebec and the wider Francophone reality to that mosaic. We would be poorer without it, yet perhaps North America would be richer for an extra country and an extra language, if it comes to that. We honour the role of Canada's First Nations in welcoming the rest of us into this land. Priority should be given to recognition of aboriginal rights.

The spirit in which decisions are made is as important as the decisions themselves. So is the process. We believe our Creator placed us on this planet to care for it and to live as good neighbours with one another. A Constitution is about being good neighbours. Whatever boundaries and structures we end up with, it is vital that we remain friends and good neighbours in the process. If there is divorce, let it be friendly. If there is reconciliation, let it be sincere and unforced.

Quebec. What do they want? It now seems quite clear what Quebec wants. Whether Liberal or Pequist, Quebec wants the advantages of political sovereignty and cultural identity within the security of a friendly economic arrangement with the rest of Canada, and North America, I guess. Whether this is a province with a distinct society or a sovereign state with a trade treaty are matters of degree. French Canada might ask itself whether French culture will survive in a unilingual continent better than in a bilingual country. French Canada might ask itself whether English Canada will be in a positive mood to negotiate favourable economic terms more than favourable constitutional terms. Those are questions for them.

Quebec. Who speaks for Canada? If Quebec separates, any continuing relationship should be in the form of a treaty, not a Constitution. That treaty should be negotiated between Quebec and a body representing the rest of Canada, not a body such as the present Parliament that is dominated by a large contingent of Quebec M.P.s. When it comes to negotiating terms of separation, those who negotiate for Canada should not have a conflict of interest.

Quebec. A question of boundaries. The question of constitutional reform is different from the question of boundaries. If Quebec chooses separate boundaries from Canada, the question must be asked, what boundaries? Canada will want secure land communications between Ontario and the Maritimes, besides the international seaway, which is already an international waterway governed by treaty. Canada has responsibility for the aboriginal people living in what is now northern Quebec, many of whom speak English as their second language. Those northern territories which Quebec acquired from Parliament as part of Canada should not be lightly ceded. The choice, I would think, should be for the inhabitants of that part of the country to make. Balancing this, Francophones in contiguous areas of Ontario and New Brunswick should be given some option to join Quebec. For Francophones in the rest of Canada, we would hope for continued tolerance and good will within our wider mosaic.

Quebec, distinct society or balkanization? Quebec has presented us with proposals, which for the purpose of granting powers to Quebec to protect that province's unique identity, offer the same powers to all the other provinces. This inevitably weakens and erodes the central Government. The rest of Canada should not be distorted in order to accommodate the

special requirements of Quebec, and the other provincial Governments should not grab for extra powers just to get the same as Quebec. It would be preferable to treat Quebec as a special case.

Distinct society and the primacy of the Charter of Rights and Freedoms. Conflicts between individual rights, collective rights, the interests of the state, and the common good should be settled by the courts, rather than the notwithstanding clause. Human rights are a necessary balance to the power of the majority. The concept of collective rights should receive greater attention in law, expressed through such mechanisms as class actions and affirmative action programs, in particular sexual and gender parity and equality should be protected in the Constitution and not overridden.

* (1630)

Distinct society and aboriginal rights. Constitutional recognition of the First Nations must be a first priority in Constitution building. The rest of Canada should treat the Native peoples generously and honourably. Promises must be kept even if they are old promises or inconvenient promises. Concepts such as distinct society, limited sovereignty and division of powers are not unfamiliar models in defining what Indian self-government might mean.

It was Elijah Harper who said no to Meech, not our political Party Leaders. Native issues should take precedence over other needs in reform. The objective of negotiating land claims should not be to extinguish Indian claims, but to recognize them.

Strong national programs: We would rather speak of strong national programs than strong central Government. We need a strong federal Government to ensure regional equalization and equal access to social services such as health care, education, employment, shelter, social assistance, et cetera, but the purpose of that strength is to serve these programs, not to compete for power with the provinces. The measure of a civilization is how it treats its least powerful members.

Regional equalization: This is a fundamental principle of our confederation. The concentration of population, power and money in the central region becomes a vicious circle that distorts a more balanced development to the detriment of all regions, central region included. It is frustrating for provinces to find themselves totally cut off from influence over certain fundamental levers of economic power such as currency exchange rates and interest rates. Some

provincial role in setting regionally variable interest rates, for example, should be enabled.

Decision-making power and public participation: Why was it reported as news that the public was distrustful of politicians—pardon me—and dissatisfied with their decisions? Mechanisms should be provided for public participation in decision making between elections. Limits should be placed on irresponsible Government that is clearly out of tune with the public mood or its electoral mandate. Some form of recall or impeachment process, in extreme cases, should be put in place.

Public participation should not be mere window dressing like so many royal commissions that have been ignored. At the same time, there is value in some role for independent decision making by the informed conscience of elected representatives. Rule by referendum can easily become mob rule. Party discipline often militates against both informed conscience and responsible representation. Ways of limiting the power of the Party caucus should be explored on votes that are not considered votes of confidence.

Balance of powers: Presently, we have a division of powers rather than a balance. The provinces provide some balance to the federal Government, but executive and Legislature are so combined in our system that there is very little check on the Party in power between elections.

Senate reform has been proposed as a solution to some of these problems. For the hinterland regions, the Senate can provide some balance to the population-driven dominance of the central region. Any reform of the Senate must begin with direct election. This should not be tied to general elections and should reflect popular vote rather than the Party in power, unless a way could be found to make senators non-partisan and representative of constituencies rather than Parties. I might suggest that a lottery might be a feasible way to do that. One apostle was chosen by lottery and it worked out as well as the others.

Armed forces: Participation in warfare is forbidden by the Constitution of Japan and West Germany. This should be considered by Canada, along with prohibition of trading and arms. Canada's efforts for peace must be built on a policy of disarmament.

Priorities: There are more urgent matters we would rather be discussing—the state of our economy, eroded by a preference for policies that increase

bankruptcy and unemployment; and the state of world peace eroded by a preference for violence instead of development.

Constitutions define who has power; whether that power is wisely used is another question. Constitutional questions are long term, and will have a long-term impact on the more immediate questions of present problems. Thank you.

Mr. Chairman: Thank you, Mr. Stewart.

Mr. Carr: Thank you very much for a stimulating presentation just full of innovative and wonderful ideas. I want to focus in on one. You say that French Canada might ask itself whether French culture will survive in an unilingual continent better than in a bilingual country? Let me ask you to ask yourself that question and take us through some of your thinking that led to include that observation in your presentation?

Mr. Stewart: It seems to me that a bilingual country is a more friendly environment for the survival of the French language. If we picture the alternative, which is a continent dominated by English and Spanish in the United States, and Spanish in Mexico, of course, we really are a trilingual continent. There are some interesting possibilities to that if we became a little more like Europe in a sense, with several countries and several official languages, but given the kind of cultural forces that make English the dominant language through media and so on.

It seems to me that French would be less likely to survive in that large sea, even in this smaller lake with the kind of sympathetic arrangements like, you know, French and English on the cornflakes box. I do not think the Americans will print French on their cornflakes boxes, and we might stop too. You know, it affects a lot of things that way economically.

Mr. Carr: Presumably, if the people of Quebec had the same observation almost as you that they may be less likely to support a movement toward sovereignty, given one of the things in which they are most concerned is language and through language culture.

What is your advice to the rest of the country, given the current political climate to try to persuade Quebecers. It is a bit odd, I suppose, that we should be telling the people of Quebec what is in the best interest to preserve their language, if they should not share those insights, but I am wondering if you have any guidance or advice to give us in that score.

Mr. Stewart: I wonder if they have really pictured what our response will be to all this, and maybe what

we are doing in terms of starting to imagine what we want is part of that process. In some ways maybe if we are, I do not want to say unfriendly, but hard-nosed about what we want, if we put on the table the kinds of things that we would ourselves like to see, it might encourage some different angles on the problem. Other than that, I do not know. Other than trying to communicate back and forth, and that did not seem to happen very much in the Meech debate.

Mr. Carr: I think it is interesting that you are making the argument that Canada is in the interests of Quebec, and you are not only making the economic arguments, which are quite well known, but you are now making linguistic and cultural arguments, which are less often expressed.

* (1640)

I think one of our challenges is to find a way of communicating that point of view to the people and the Government of Quebec without putting words in their mouths, for them to realize with the good will and the friendliness of English Canada that there really is something in it for all of us.

Mr. Stewart: Maybe someone should invent a board game, quickly.

Mr. Carr: Thank you.

Mr. Chairman: Are there any other questions to Mr. Stewart?

Mr. Ashton: I found your presentation to be very intriguing. I was particularly interested in your comments in terms of armed forces very appropriately timed. It was echoed by some other presenters in going beyond the normal parameters that people seem to have adjusted to, in terms of what is considered acceptable in terms of constitutions within Canada and what is not, basically the Meech Lake parameters, Quebec, Senate reform, et cetera.

I am wondering if you could expand on that, because as I read it you are suggesting this is not just an issue of concern. You are suggesting that we, in a constitutional way, are defying the country in terms of armed forces and peace-keeping, et cetera.

Mr. Stewart: Well, it is possible. I do not expect it is likely. Another idea along those lines might be to forbid the use of armed forces against the people of our own country, which happened at Oka.

Mr. Ashton: That is an interesting proposition. Essentially you are suggesting that we start from scratch in terms of constitutional reform really and perhaps go beyond the parameters of the last number

of years, include some of these type of concerns which people are obviously expressing.

I would say right now a far bigger concern to most people is the war in the Gulf. For whatever their views are, it is certainly much more of a topic of discussion. You are suggesting that we spend the next period of time expanding the discussion.

Mr. Stewart: One problem is, you know, making such a long shopping list that you would never get through it. My inclination would be to keep it limited. On the other hand, the problems of the immediate moment do generate more long-term questions. How do you take a concern for world peace into a constitutional discussion? Maybe there is a place for that.

Mr. Chairman: Are there any other questions?

May I just ask, Ms. Stewart, you are now presenting—you had a joint presentation with Mr. Stewart—(interjection)—pardon?

Ms. Pat Stewart (Swampy Cree Tribal Council): I am wearing a different hat right now.

Mr. Chairman: I see. It is a little awkward for us in terms of the rules to have a person identified in more than one context, but basically as I understand it, you want to present. You are not going to read this; you are presenting. You are asking us to consider a brief. I think you should sit down and proceed and we will sort out the—(interjection)—Before I do that though, may I just—would you just sit down please and make yourself comfortable if you can. Is Mr. Lyons here? How long is your presentation, sir?

Mr. Keith Lyons (Private Citizen): Quite short.

Mr. Chairman: Okay, it is just that we are trying if we can to wrap up by five o'clock—(interjection)—No, I think if it is short, we would be happy to take you before. Please proceed, Ms. Stewart.

Ms. Stewart: I am a staffperson with Swampy Cree Tribal Council. The majority of our leadership have been taking part at the funeral of Oscar Lathlin's mother. This is why I am coming to present this on behalf of the health concerns of the Swampy Cree Tribal Council. Earlier today, you had a presentation from Swampy Cree Tribal Council, and it was decided that we would do a separate one regarding this health concern.

Mr. Chairman: I think that really we do have a problem here, Ms. Stewart, in that the Swampy Cree has already presented to us, and we have a clear rule that the same organization cannot present twice. With regret, I think I would have to enforce that rule, but of

course we could receive this as a written submission, and we would be happy to read it. I assure you of that, but two oral presentations by the same organization is just something we had agreed as a task force we would not accept. I will just have the record show that you gave us a written submission which we will consider. Is that acceptable to you? Of course, it does include the first two pages which we will read as well.

Ms. Stewart: It was because of, I guess, the desire to focus on the importance of this issue that it was presented separately, and I am happy if you will accept it in its written form.

Mr. Chairman: Yes, we certainly will. Thanks very much for your understanding. I would ask Mr. Lyons if you would come forward please. Good day, sir.

Mr. Lyons: Thank you very much. Ladies and gentlemen, I come before you as a person with what I consider perhaps an unusual perspective of the question of Canada's future. I was born and raised in New Brunswick. I received my post-secondary education in three Maritime universities, and have worked at my profession in Nova Scotia, Saskatchewan and now in Manitoba which I happen also, as Fletcher Stewart, to be a clergyman, only for the United Church. I am not representing that organization; I am representing myself.

Mr. Chairman: Presumably there are far fewer United Church clergy here other than—

Mr. Lyons: You are looking at it.

Mr. Chairman: The one and only.

Mr. Lyons: Yes, I am paid, thank you. Many years ago, in an undergraduate history course, I learned about the role that myth plays in history. Specifically, I learned that it does not really matter whether something is factually true or not. If enough people believe it and act as if it is true, then for all intents and purposes it might as well be true. The history of Quebec in the nineteenth century and early twentieth century I believe is the history of an oppressed people. The oppression came from two sources, a hierarchical church which kept the people oppressed in order to preserve its power over their lives, and a powerful and wealthy English-speaking oligarchy which was interested in exploiting the province's wealth. The history of Quebec since the end of the Duplessis era has been one of throwing off those oppressive forces.

Where myth enters history is where many modern Quebecois look at their social, economic and political problems and conclude that all or most of those

problems are caused by English Canada. The myth is that if they can throw off the English oppressor, then the problems will solve themselves. English Canada is not responsible for the declining birth rate in Quebec, for example, but Quebec has responded by banning English signs, forcing immigrants and Canadians from other provinces who move there to educate their children in French, no matter what that does to the child's well-being, and enacting other legislation which I think violates fundamental human rights.

* (1650)

It is with great sadness that I say that current trends are not going to change and that because of that we and the rest of Canada must choose between having our federation slowly sacrificed to insatiable Quebecois demands or developing a country of which Quebec is not a part. I say that very, very sadly.

For many years my Maritime roots and my fears for a part of Canada that I still love very dearly kept me from this conclusion. Recent happenings have made this conclusion, I think, inevitable.

One of the first things that needs to be done in building a new English Canada is to explore ways of connecting the four eastern provinces to the rest of us. A geographical reality that many western Canadians may not realize is that the shortest land route between New Brunswick and Ontario lies not across Quebec but through the states of Maine, New Hampshire, Vermont and the northeast corner of New York state. For many years the concept of a corridor road across those states has been discussed in various discussions among the various Maritime Premiers and the provinces. Maybe now is the time to enter serious negotiations with the U.S.A.

I assume that separation between Quebec and Canada is something that would be negotiated and that one of the important negotiating points would be an equitable division of the national debt.

Another issue might also be just where the boundary lines would lie. As a native of New Brunswick, I am keenly aware that fully 45 percent of that province, at least the figures I had most recently, is French-speaking, and the majority of those people are in regions that both geographically and culturally are close to Quebec. As a person who respects democratic institutions, I think those people should decide what happens to them.

I do have concerns, very deep ones, for all of Quebec's non-Francophone minorities. I speak here

of many hundreds of thousands of Anglophones in Montreal and the eastern townships, and I also speak of persons who belong to several aboriginal language groups.

As I remember last summer, why the Meech Lake Agreement failed in the Legislature of this province was that an aboriginal leader with the support of aboriginal people from right across the country said to the Prime Minister and Premiers, hey, have you not forgotten somebody?

I, therefore, have two proposals I think need to be worked on. One is that the aboriginal residents of Quebec, and I might add the rest of the country, have a right to decide where they will be governed from—in the case of Quebec, whether they will be governed from Quebec City or Ottawa or somewhere else. My second proposal is that we begin serious negotiations with our own aboriginal peoples in the other parts of the country about how they are going to relate to the rest of us.

I believe strongly in a federal system of Government for this country, and one of the reasons why I suggest that English Canada prepare to go it alone without Quebec is that I believe that federal powers should not be too seriously eroded. I think our system that tries to equalize power and wealth across the country is far superior to the system, for example, in the U.S., which has wide disparity economically between states such as Maine and North Dakota and states such as New York and California.

I believe as a western Canadian and a Northerner that a strong federal Government where the power of Ontario can be offset by the combined powers of the West could be very good for this particular region.

Maybe it is time, for example, that the voice of the Prairies be heard more clearly in energy policy. Maybe there are other ways to ship our grain to Europe and import our goods from Europe rather than through the St. Lawrence system that then would flow through a foreign country. I think specifically of the development of the Port of Churchill, which would affect us I think in a very positive sense in the North.

A Canada without Quebec would be a Canada where the balance of power would be radically shifted, not only because of the fact that we are not dealing with the demands of Quebec, but we have an equalized balance between the various regions of English Canada. I would see it shifted in favour of the West merely by the make-up of that new equation.

Thank you.

Mr. Chairman: Thank you, Mr. Lyons. Any questions?

Mr. Ashton: Yes, just very briefly, and I appreciate we are running short of time, and I know you have been waiting here. You raise some interesting points. Maybe what I will do is ask a couple of questions in one part.

I think you dealt with the question of federal powers. You believe in strong federal powers. What I want to ask you is this: If one looks at Meech Lake, if one looks at some of the discussions that are taking place now, essentially when I look at the federal powers that are mentioned in Meech Lake, what happened was Quebec had not signed the Constitution. In order to bring Quebec within the Constitution, there was the development of what was seen as distinct society recognition, but also increased powers for other provinces. All provinces, for example, were given the veto in essence over constitutional reform.

You are saying you are concerned about the dilution of federal power. What would your response be to a constitutional agreement that gave Quebec devolution of powers but maintained a strong federal structure elsewhere. That is my first question.

The second question I had was in regard to your comments once again in terms of federal powers. What I find interesting is that you use some of the same terminology that some of the proponents of Senate reform made. Some had suggested the Senate would somehow protect the kind of balance you are looking at. You are suggesting from what I read, and I just want to clarify that, that it is strong federal powers that protect the power of the regions. I would like to ask you on those two questions for your thoughts.

Mr. Lyons: Could you repeat the first question again?

Mr. Ashton: The first one was on devolution. You believe in a strong federal system. Obviously if all provinces were to receive devolution of powers you would oppose it, by the way I read your brief, but if Quebec was to be given certain additional powers and the rest of Canada was maintained under a stronger federal system, what would your response be to that?

Mr. Lyons: I would see it as conceivable. It would depend I guess in terms of where those powers lay and what the relationship is between Quebec and the rest of the country, not only what is in it for us, but what is in it for them. How does that then affect the balance of power? I guess a perception that I and I

think a lot of other western people have had is that Quebec and Ontario together are able to dominate the rest of the country. I am still concerned about that.

Mr. Ashton: The second question was in regard to a strong federal Government being a protector of the regions vis-a-vis Senate reform, because those are the different views of Confederation.

Mr. Lyons: I do not really know if Senate reform really is a solution. It would depend on what the Senate would look like. I think a Senate that could represent the various regions more adequately—and particularly the outlying regions, so that there is some equalization of power between Ontario and the regions—would be helpful. My sense is that we are faced with Quebec that is making demands. It will be this way or forget it.

I really had a good impression of some of the things that Fletcher Stewart was saying. Perhaps one of the ways is to approach Quebec with holding those two possibilities and exploring the possibility, what would Canada look like without Quebec? I really sense that there is real sense in Quebec that it is English Canada that has caused all their problems. They have not really looked carefully at what would happen to Quebec in a separate situation. I think if we put forward to them what the rest of English Canada would look like and what Quebec might look like, it might be quite helpful in the negotiation.

Like nobody is prepared to really look at that. I certainly do not think that our federal Government is prepared to do that because, as Fletcher said, they have a conflict of interest. It does not matter which Party is in power, that is going to be the case, because either the Liberals or Conservatives need Quebec in order to form a majority. The NDP does not have the kind of representation across the country that really is needed to form a Government at this point.

Mr. Chairman: Thanks very much, sir. That concludes our afternoon session. We will be back at 7 p.m. this evening to carry on our public hearing process in The Pas.

* (1700)

Good afternoon, and thank you very much for your attendance and participation, ladies and gentlemen.

The hearing took recess at 5 p.m.

After Recess

The hearing resumed at 7 p.m.

Mr. Chairman: Ladies and gentlemen, good evening and welcome to our second public hearing in The Pas. We had a very interesting session this afternoon, some very thoughtful presentations. We look forward to the people who will share their views with us this evening.

I would like to just tell you that the rules are you have a maximum of 20 minutes for your presentation. There will be a bell that will ring after 15—that is, if you like, the warning bell. Then after 20 minutes, there will be a second bell. We would ask if you would be good enough to complete your remarks at that stage. Then there will be a period of opportunity for the Members of the task force to ask questions. Sometimes they do, and sometimes they do not.

Do not take that as any reflection on your presentation. Sometimes the presentations are so clear and straightforward that no questions are necessary. Of course, you need not feel obligated to take the full 20 minutes. You have that available, but you are quite welcome to have a shorter presentation if that is your desire.

The Members of the task force with me this evening are awaiting introduction, and it is my pleasure to do so.

Before I do call out their names and introduce them to you, may I just say we are really very sad that the local Member, your Member of the Legislature, Oscar Lathin, is unable to be with us. I think you know that Oscar's mother died and the funeral was today. Of course, he is occupied with his family in mourning the death of his mother.

He asked me to say how much he regretted that he was not able to be here this evening, and certainly we miss him. It would be delightful to have him here in his own constituency, and indeed he is, of course, one of the six regular Members of the task force.

However, we do have another northern Member with us. I am pleased to introduce Mr. Steve Ashton, I am sure known to all of the folks in The Pas. Steve is the New Democratic Member of the Legislature for Thompson. Next to him is Mr. George Hickes. George is the New Democratic Member of the Legislature for Point Douglas. On my immediate right is Mrs. Shirley Render. Shirley is the Conservative Member of the Legislature for St. Vital. Moving to my left, at the end of the table is Marcel Laurendeau. Marcel is the

Conservative Member of the Legislature for St. Norbert. Next to him is Jack Reimer. Jack is the Conservative Member of the Legislature for Niakwa. On my immediate left is Jim Carr. Jim is the Deputy Leader of the Liberal Party and the Member of the Legislature for Crescentwood.

If you have been doing your mathematics, we have three Conservatives, two New Democrats and one Liberal, or three Government and three Opposition Members. I am Wally Fox-Decent. I am the neutral Chair.

Ladies and gentlemen, let us get at it. The first presenter this evening is Mr. Gordon Landriault, who is speaking on behalf of The Pas Labour Co-ordinating Committee. Good evening.

Mr. Gordon Landriault (The Pas Labour Co-ordinating Committee): Good evening, also presenting on behalf of the Labour Co-ordinating Committee with me is Sheila Watts, the president of the local committee.

Mr. Chairman: Welcome. Sheila Watts, I just want to make sure our recording folks got the second name. That is W-a-t-t-s, Ms. Watts? Right.

Mr. Landriault: The Pas Labour Co-ordinating Committee is comprised of 13 affiliated unions representing approximately 2,300 members and their families in The Pas and the area. The committee is mandated to represent the views of these unions at the regional level with direct links with the provincial Federation of Labour and the Canadian Labour Congress.

Not all the unions, such as the Manitoba Nurses' Union, are affiliated to the MFL and the CLC. The purpose of this brief concerns our view of the Constitution and will not rehash what we feel was wrong with the Meech Lake Accord.

We feel the Constitution belongs to the people of this country and not to the Prime Minister, Brian Mulroney, and a handful of First Ministers.

We also want to point out that we have also had input into the brief prepared on this subject with the Manitoba Federation of Labour and fully support the views presented in that brief which this committee will be hearing in Winnipeg on February 9, 1991.

We have been through this process before when the provincial Government held hearings on the Meech Lake Accord. The problem with those hearings, however, was that they were held too late. The accord was already being signed in principle and

views presented by Manitobans were hardly worth the effort.

If it were not for the bravery and dedication of one man, Elijah Harper, MLA for Rupertsland, the accord would not have been defeated and rights and freedoms for women and aboriginal people in this country would have been jeopardized because of flaws within the accord.

Aboriginal people have waited too long for Governments of this country to recognize their legitimate claims to self determination. It was these same Governments that banished Native people onto reserves with little land or economic resources on which to survive. These same Governments are severely dragging their heels to negotiate the First Nations the speedy settlements of land claims and self determination.

We support the concerns of our aboriginal people and strongly urge the Government to fully recognize their concerns by entrenching their rights firmly in any Constitution of this country. With their rights finally recognized, Native people have a basis to become an economic independent with control of their education and everyday lives, thus becoming an integral part of Canadian society and proud to be able to participate fully in the development of Canada into the future. Until this inequity is corrected, we hope there are a lot more Elijah Harpers around.

Ms. Sheila Watts (The Pas Labour Co-ordinating Committee): We believe that Canadians need a strong central Government to ensure the protection of our national programs and services. The federal Government is presently undertaking a new plan for Canada with about 10 teams of deputy ministers. They are looking at what the federal Government does, what it should do and what areas are possibly duplicated and could be transferred to the provinces. We feel that this move toward decentralization is in direct conflict with the needs of the citizens of Canada.

It also appears that this Government is prepared to negotiate with the provinces for transference of programs and services much like it is presently negotiating with Quebec. Our labour committee does not support transferences of national programs and services to any provinces including Quebec. We feel federal programs and services should remain centralized and not transferred to any province or territory in order to maintain national standards.

Imagine if you would provincial unemployment

insurance plans. How would the fund be allocated? Surely Manitoba with its small population base would receive very little, yet the unemployment rate in northern Manitoba is the second highest in the country at 23.2 percent.

Surely you could imagine what would become of Manitoba in a very short period of time. Every person in Canada deserves equal access to our social programs, such as medicare, post-secondary education and unemployment insurance. If these programs are decentralized to the provinces, it would only be a matter of time before the citizens of this country would be facing homelessness and high crime rates such as those experienced in the U.S.A. today.

* (1910)

It has been our national social programs that have advanced Canada as one of the most caring and humanistic countries in the world. It has also given its citizens pride in what we stand for. These social programs can be maintained and even improved by overhauling the Canadian tax system. The tax burden which is totally unfair must be shifted from the backs of workers and shared equally with big corporations who are now paying very little toward the maintenance of this country. Individuals do not mind paying their fair share of taxes, but big corporations should be paying their fair share too.

These programs should also be placed under the protection of the Constitution and out of the reach of all levels of Government. Workers must be guaranteed the right to organize, bargain and withdraw service. Only in this way will workers negotiate fair settlements and achieve economic security.

The rights of individuals and minority groups must be entrenched in the Constitution. The Charter of Rights and Freedoms must also be protected within the Constitution. In this way, Governments would not be able to make changes to basic rights and freedoms without agreement of the provinces under any amending formula.

As we are not constitutional experts, we will not say here what the amending formula should be. There are people with a greater knowledge than us in these matters, but we will say that reform would be virtually impossible if any amending formula requires 100 percent agreement with the provinces.

In closing, we wish to state that we are not anti-Quebec. We feel Canada must remain as a

whole entity. We do not advocate the splitting of the country, nor an escape clause from the Charter of Rights and Freedoms at any level of Government. Rights are too precious. We do support a system of self-determination of certain areas of responsibility for our First Nations as a part of Canada's mosaic.

The brief that will be presented by the Manitoba Federation of Labour is endorsed by this committee and provides more detail and areas of concern. We hope this committee will give it the serious consideration it deserves.

We would like to thank this committee for taking the time to travel to The Pas to hear the concerns expressed in this brief. Our members are very concerned with the state of the nation, and we feel we must come forward and speak for Canada. Thank you.

Mr. Chairman: Thank you very much. If negotiations with Quebec would result in substantial decentralization to have Quebec remain a partner in the federal union, then what?

Ms. Watts: Then we do not support any further decentralization to the other provinces. We must try to keep our country as whole and central as we can. If the Government is successful in negotiating transfer of programs with Quebec, we feel that they should not go ahead and negotiate the same transfer of programs to the other provinces.

Mr. Chairman: So you would support, in that situation, what is sometimes described as asymmetrical federalism, which is a relationship with some units that may be different than the relationship that prevails with another unit.

Ms. Watts: Well, we feel that would be better than having 10 small countries.

Mr. Chairman: Is there a point, then, at which you would see the solution independence for Quebec, if that is their desire, and the other nine would carry on with a strong central Government and the other Governments, of course, at the provincial level?

Ms. Watts: Well, I hope it does not come to that, but if it does come to that, that is how we would see it.

Mr. Chairman: Thank you.

Mr. Ashton: It is a very interesting discussion. One question I wanted to ask was in regard to one item of constitutional discussion that has been put on the—or at least some people's—agenda as being a major priority, although not necessarily everyone's, and that is in terms of Senate reform. I am just wondering what

the view is in terms of the membership locally and in terms of the co-ordinating committee, or do people want to see the Senate abolished, reformed? What is the general sense in that area?

Mr. Landriault: We did not address that in our brief because it is covered under the Manitoba Federation of Labour brief. We say the Senate should be abolished. It is not needed.

Mr. Carr: You say in your brief that these programs, and I think you are referring to reforms to the tax system, should also be placed under the protection of the Constitution and out of the reach of all levels of Government. Do you mean that a tax structure ought to be entrenched in the Constitution, or what exactly do you mean by that comment?

Mr. Landriault: No, we are talking about the UIC programs, family allowance, social assistance programs, post-secondary education. They should be placed under the protection of the Constitution so that they cannot be tampered with.

Mr. Carr: So would that mean that changing Governments, passing Governments could not change provisions within the UIC program or within medicare or within other federal programs? What is it that you are entrenching exactly?

Mr. Landriault: I am not saying they could not change them. We are saying that they should not. The system with post-secondary education—it seems in the world of Government they cut funding back whenever they want. The same thing happens with UIC. They make changes when they want. If they were protected under the Constitution, they could not do that without going to all the provinces under whatever the amending formula could be and have it changed that way.

Mr. Carr: So you would have to consult all of the provinces or some portion of them, let us say the 7-50 rule, and the Parliament of Canada and the Senate if you wanted to make changes to the UIC program?

Mr. Landriault: Well, to our basic, yeah, rights and freedoms and programs.

Mr. Carr: Okay, thank you.

Mr. Chairman: Yes, George, go ahead, please.

Mr. Hickes: I just wanted to ask a quick question here. You spent quite a bit of time in your brief on First Nations and aboriginal injustices or however you word it in here, and here it says, a speedy settlement of land claims and self-determination. How high would you put that on your priority list?

Mr. Landriault: That is fairly high.

Mr. Hickes: Would you—one of the top issues to be settled?

Mr. Landriault: If you look all across the country, what is happening with aboriginal land claims and that, it is not only affecting them but it is affecting everyday working lives of other people. It is affecting our corporations within the country, too, because of outstanding land claims and that on development. They cannot go ahead with development till claims are settled. This has to be a priority of any Government.

Mr. Chairman: Thank you very much.

Ms. Judy Hughes (Private Citizen): Excuse me while I pour some water.

Mr. Chairman: Not at all. Welcome. You have to drive back to Flin Flon, I hear, tonight.

Ms. Hughes: Yes, I do.

Mr. Chairman: Ms. Hughes, nice to see you with us. You are the only known resident of Flin Flon who has joined us today.

Ms. Hughes: Yes, and I address that a bit in my brief here tonight, too.

To the Chair and committee Members of the Manitoba Task Force, welcome to northern Manitoba. My name is Judy Hughes and I live in Flin Flon. I am making my presentation tonight as a private citizen, although some of you are probably more familiar with my public activities.

I wish to acknowledge that my presentation is addressing issues of major concern to women and others seeking gender, racial and social equality. I just finished typing this before I came here tonight, so it may be off a little bit, but still it comes from the heart. Hopefully, the meaning that I want to put forward does not get lost in the little bit of the way that I have typed it up here.

So when I was preparing to address this task force, I attempted to engage other women and men in the discussions of both the Canadian and the Manitoba Constitution. Unfortunately, I did not meet with much success, and that is most of them were unaware of what the Constitution was, or what it is really. Either they did not want to put any effort into it, or did not feel that they had the time or money to travel to The Pas, and basically felt that it was all just a waste of time anyway, because what process would even ensure minute consideration of the issues and concerns that would be brought forward.

* (1920)

So again inaccessibility is a major issue for northern Manitobans and particularly when we want to voice our opinion on particular issues in consideration of this very major issue that affects us all.

So this is part of the frustration in my brief, and what I feel is that a priority of any consultation, including this one, is to provide open discussion, increased dialogue and meaningful participation, and to feel that suggestions and comments will be taken into consideration in the final analysis.

Worldwide, Canada is seen as a leader in equality and human rights, but when one examines Canada, as it operates on a day-to-day basis, we see further evidence of the class, gender and racial bias that goes into the decision making of this country. In particular, I would like to mention the treatment of Sheila Copps by a colleague, and most recently Pat Carney's removal from the Canadian Constitution Task Force Committee.

Women make up 58 percent of the population, according to the last census, and we are already preparing for another census to come up soon. So then why is there such disparity in our representation in all the political institutions of society? We have a right to proportional representation and democratic consultation in political Parties, in the House of Commons, in the decision-making positions within the public sector, and, in the off chance that the Senate remains, even in the Senate. I must add, and especially in Constitutional Task Force committees; unfortunately, I only see one female Member here.

To this end, I raise the necessity of resources to be given to grass-roots women's groups so we may educate ourselves on the issues of provincial and Canadian Constitutions. The debate tends to stagnate among elites and offers little but consultation with no resources that would enable us to state our position, instead of just voicing our opinion. I suggest that consideration of a Canada-wide conference for women devoted solely to constitutional issues, inviting all constituents of women to meet and discuss our perspectives. First Nations women, Quebec women, white women—we are all women who face inequalities in our social, economic and political lives, and it is critical that Governments recognize our strength and power and treat us seriously.

I make reference to 1980 when women upheld bringing the Constitution back to Canada until the

equality clause was entrenched, and more recently, the fiasco of Meech Lake, but that is what happens when people get left out, things go wrong. Hopefully, this time the First Ministers will see the wisdom of their error and provide a seat for women, cultural and linguistic minorities and other affirmative action groups, without us having to demand our rightful place at the constitutional table. We are no longer willing to be represented by proxy.

That is all I have to say for tonight. I thank you for your attention, and I do look forward to some serious discussions on the suggestions in this brief. I am also available for further comment at your convenience. Thank you.

Mr. Chairman: Thank you. If I might, and not wishing to be in any way defensive, there are usually at least two women sitting at the table. Two of the regular members of the task force are Jean Friesen from the New Democratic Party and Shirley Render from the Conservatives, but Jean was not able to come north, so we are indeed too massively a male table this evening.

I appreciate your comments on accessibility. What you are saying is that we should have been in Flin Flon and many other places, rather than expecting people to spend time and money to come and see us. This is not necessarily our last round. We have left open the issue of what we may do beyond this first round of public hearings. We certainly listen with great interest to what you are saying about the accessibility issue.

Ms. Hughes: Another point that I would like to make was in terms of the advertising of it. I am quite a political activist, and I missed the first single ad that was in the paper and came across the second one. That is part of the reason of not being as prepared as I would have liked. As I am sure Steve Ashton knows, I like to be very prepared when I am facing any kind of a political task force, or just anything that I do.

I think that it needs—in keeping how Manitoba has been encouraging the participation of its citizens that it continue to do so, but one advertisement in one paper is not going to do it. We need a bit more advertising in terms of time frame or direct contact to particular individuals or groups that you know are active in this particular area. So I appreciate it, but I would like to make this statement, once again, because repetition makes things a little easier.

Mr. Chairman: Well, I understand. There were three separate newspaper advertisements and then quite

a bevy of radio advertising lately. I do not know how much people listen to the radio; one wonders. I understand in some communities they do, in some they do not. Then we sent pamphlets out to all municipal offices and asked that there be some distribution.

The issue of sending to individual groups is interesting. I, personally, was very much in favour of that. The group decided collectively that there might be an element of discrimination if we missed some group and so, therefore, the decision was made not to send out letters. I think we could have happily, easily sent out thousands of letters across this province to known groups, but there was some fear of discrimination which I, frankly, did not share. I felt we would run the risk, and should have run the risk, but that was not the decision.

Ms. Hughes: The more information that can be disseminated—if our office would have got one, we certainly would have disseminated it to the rest of northern Manitoba because that is our mandate.

Mr. Chairman: I take your point. Anyway, after that, what sounded like a very defensive response to you, I am now ready to take any questions there may be. Marcel Laurendeau and then Steve Ashton.

Mr. Marcel Laurendeau (St. Norbert): I just had one question. When you were speaking of different types of forum, what type of forum would you recommend to bring to Flin Flon to have the people come out and show the interest, to bring them back to show that the task force does not want to be listened to?

Ms. Hughes: Could you repeat the question, please?

Mr. Laurendeau: What type of a forum would you expect or want to have come to Flin Flon so that the people would come and relate to the type of meeting or group that came forward?

Ms. Hughes: Well, I think what I would have done had the Constitutional Task Force been coming to Flin Flon and being more prepared for it, I would have been prepared to do some community organizing so that people would have come, if not to only observe and listen but, hopefully, to participate also. The more information that people get, whether it is listening or actually presenting a brief or something, that it would be helpful to get them more interested in terms of what is happening within our country right now.

I mean, given that we are in the middle of a war and a recession, people might find it easier, if they have more information, to be able to discuss issues or bring it up into the public. So I was looking at a more—like

this one is fairly open, but I am saying that it is not in Flin Flon. I had great difficulty with, you know, people even having some—even child care was an issue in terms of tonight because it is also in the evening. During the day if people worked for money, paid work, they could not come. As it was, I am in a position where I can, so I looked at all the benefits and advantages that I had in being able to address this task force, and then I was dutifully reminded of all the people who could not attend this task force or address it and felt that they were not even capable of doing that.

Mr. Ashton: I am pleased to see you see here, Judy, as a former constituent, and I can certainly attest to the fact that with more advance knowledge, I am sure you would have done that community organizing and also to the difficulties of travelling any sort of distance.

Seeing you here reminds me of the last time I went down Highway 39 and made it as far as Reed Lake before my motor blew. I had to scrap attending the opening of the Resource Centre, so I know what it is like having to even think about coming from Flin Flon down here tonight. I know a lot of people from the city will not appreciate it, but you always take something of a risk.

What I wanted to do was, knowing your concern in terms of women's issues, sort of just quickly reflect back on what happened with Meech Lake. Obviously, women organized. I think women along with aboriginal people were the two key critical constituent groups, if you like, within Canada, of Meech Lake.

I am just wondering where it goes from here in terms of women, and I know your involvement. You know some people have said that perhaps it was—we have had presenters suggest perhaps it was a bit easier with Meech Lake because it had its faults, and it is easier to focus on the negative, the faults of something.

I am just wondering what you see as coming from the women's movement in the next couple of years in terms of constitutional issues, because as I said, it is obviously coming right after Meech Lake. Of course as you point out, women were also key in terms of the previous debate which led to the '82 Constitution and did successfully hold up the repatriation until there was entrenchment of women's rights in the Constitution. I am wondering what is going to happen in the next couple of years?

Ms. Hughes: Well, I think what can happen—if I put on my hat as a member at large with the National

Action Committee on the Status of Women, the Constitution is a very high priority with our organization and our member groups right now. We have been in discussion with aboriginal women and the Quebec women in terms of our similarities and our differences in what is essential to us.

What we are hoping to get and what I was saying tonight is that we feel that as women we need a Canada-wide conference that would include as many women as possible and represent the different constituency groups of women and discuss the issues that are our concerns and our considerations that we have to look at in our daily life, in our political life, and whatever. That is something we feel is essential in terms of staying together, in terms of the issues of whether it is a motherhood issue or other more serious issues that come in, like what is happening in terms of being a peacekeeping nation. Women as nurturers and caregivers also want to take part in the political process, and we have done that.

I think increasingly that I know as a member of the female gender I really dislike having legislation to criminalize actions that I might take, or whatever. Thank goodness the abortion Bill has gone through. I am very pleased with that, and I am pleased that Pat Carney voted for it.

* (1930)

So things are softening up, things are opening up, which as a member of the two genders in our society, we should have equal consideration. We should have proportional consideration, but equal consideration is also something that is acceptable.

Mr. Ashton: Just one brief further question. A lot of what we are talking about, I think, in terms of the Constitution are priorities. The priority obviously in the '82 round was to repatriate the Constitution, so much so at the time that it was not considered vital to have Quebec's signature. Meech Lake, I think objectively if you look at it, the intent was to get Quebec's signature. Women obviously were arguing that it should not be done at the expense of Charter rights. Original people were saying that could not be done without aboriginal rights being entrenched. Taking those sorts of priorities, women's issues, aboriginal issues, some of the other ones that people are talking about now, Senate reform, et cetera, what kind of set of priorities do you see, as someone who is involved in the women's movement? Is it women's issues? Is it Senate reform? Is it aboriginal issues?

Ms. Hughes: Well, I think all the issues that are

involved in the Constitution are issues that concern women and issues that concern men. I do not see any separate things in it. What I see the difference in is what gender is pushing for what, in terms of what the Constitution should be or what the face of our country should look like and in terms of a number of issues like—I have had some discussions in terms of the Senate and what Quebec's place is or what they are asking for in terms of aboriginal people, but I do not have enough information other than to state a very limited opinion, which I prefer not to do because I do not have enough information and knowledge to make a statement on that at this point.

Mr. Chairman: Thank you very much, Ms. Hughes, and a safe trip back.

The next presenter is Sandra Delaronde. (Interjection) I am sorry, that is not the way it is spelled on the paper; the D is an O on the paper.

Ms. Sandra Delaronde (Private Citizen): D-e-l-a-r-o-n-d-e.

Mr. Chairman: I am sorry, it is misspelled on our paper. I have O-e-l and it is Delaronde. Sorry.

Ms. Delaronde: That is fine. I am used to people pronouncing my name wrong or calling me Debbie or Cindy or something.

Mr. Chairman: You can imagine what I get with Fox-Decent.

Ms. Delaronde: I am sure.

Mr. Chairman: Sometimes no better than I deserve, mind you.

Ms. Delaronde: I would like to thank you for the opportunity to present this evening and welcome the committee to The Pas. I have seen some of you in your last round up here.

I think the Canadian Constitution is the single most important issue facing Canadians today, aside from whether we are in the war or are we or are we not; nevertheless, we are there.

I think that in addressing a constitutional change, it is important to leave aside the misery of Meech Lake—or the agenda that was set by 11 men—that to most Canadians was perceived to be anti-Canadian, anti-aboriginal and anti-equality rights. I think this is evidenced by the widespread support received by Elijah Harper in his soft-spoken "no" which resounded in the Chambers and across the country. I think it proved that to Canadians when they responded to Elijah's no by telephoning him and sending him faxes and letters, it proved that

Canadians from all walks of life, across the country, that the constitutional reform process is a process that is owned by individuals in society and not by a singular executive process.

I think that Canadian constitutional change must be based on the democratic principles of co-operation, peace, equality and justice and that we do not achieve security of our nation by the insecurity of others.

The constitutional process must, in its entire content and form, recognize the inherent rights of the aboriginal people to claim their rightful place in the Constitution or in the Canadian Constitution-making process. The rights of aboriginal people are not something that can be dealt with or accommodated in a particular clause of section of the Constitution but must flow throughout its entire process.

I find it incomprehensible that Governments can draft legislation, pass legislation on matters affecting the land, renewable and non-renewable resources, agriculture, environmental preservation without the input of aboriginal people who were the original caretakers of the land.

In a presentation to the Campeau-Belanger Commission, which is the Quebec commission on the Constitution, Fernand Daoust of the *Fédération des travailleurs du Québec*, the FTQ, which is a CLC affiliate, stated: We want sovereignty because Quebec is our only country. We want to occupy it and proclaim it, because it is normal that a people have a country, and Canada will always be a country that belongs to others.

I think in some ways he was correct. This land belongs to the aboriginal people of Canada. In Quebec, in particular, 85 percent of the land was never ceded by the aboriginal people.

In the Allaire report, *A Québec Free To Choose*, which is a report that was issued by the Quebec Liberal Party in the past week, they call for Quebecers to exercise sovereignty in the current areas of exclusive authority; areas of jurisdiction affecting culture, education, communications and language; family policy, immigration, health, agriculture, industry, UIC, regional development, defence and territorial security. The reason why I mention this report, because what often happens is, it may be a Liberal Party policy, but once it is adopted by that Party, if that Party is in Government, it becomes Government policy or the Government agenda.

While I understand the need for sovereignty for Quebec, I do not think it can be at the expense of

aboriginal people, and I am fearful of what the exercise of sovereignty will be on the situation involving the aboriginal people in Quebec in light of the Oka crisis, in light of the requisition of Leopard tanks for the SQ, in light of the invocation of Bill 101 on aboriginal people. I believe that there can be no sovereignty without the harmonizing of aboriginal rights and Quebec's need for sovereignty.

I think we cannot address constitutional reform or change the face of Canada without addressing parliamentary reform, not just Senate reform. I think we must address the whole parliamentary process. It must represent or address representation by being truly reflective of Canadian society, that is, the 50 percent of the population are women. It must recognize the primacy of the Charter of Rights and Freedoms, and it must address the collective rights of Canadians through representative constituent assemblies as an example.

The Canadian Constitution must address a strong federal obligation without further erosion in the areas of national programs which serve as a social safety net, and policies affecting the environment and energy, and programs involving regional equalization.

Finally, a change to the Canadian Constitution is only desirable if it addresses the cause of equality and justice for all Canadians.

Thank you. Do you have any questions?

Mr. Chairman: Thank you very much. Any questions? Mr. Ashton.

* (1940)

Mr. Ashton: Thank you for the presentation. I know from our previous discussions the depth of feeling you certainly had previously in terms of constitutional issues on the Meech Lake Accord, which I am sure you continue to have.

What I would like to ask is if you could perhaps relay to this committee just why yourself and others had such a depth of opposition to Meech Lake, because obviously if we are going to move ahead in constitutional issues, we have to learn from the mistakes of the past. I am wondering if you could very briefly give people an idea, because I know why from our discussions, and I know people in The Pas certainly do, you have expressed that, but for those on the committee who do not.

Ms. Delaronde: I think the problem, the wrongs did not start with Meech Lake, it started with the patriation

of the Constitution. I think if the First Ministers had a real feeling or love of Canada as it is, they would have come to some compromise or agreement with Quebec which would have gotten their signature on the Constitution before it was repatriated.

I was involved somewhat with the aboriginal organizations in the First Ministers' process on aboriginal issues, and I attended the last First Ministers' Conference in '87. It was really heartbreaking to see the First Ministers not willing to work with aboriginal people equally and suspend the conference, and the First Minister Mulroney had stated that only when further conferences were conducive to success would he call another one. That was his decision to make and, even though the aboriginal people were united in what they wanted, he would not listen to them, because that was not what he wanted.

Approximately five or six weeks later then the First Ministers met again to deal with Quebec, so I feel that Meech Lake was developed at the expense of aboriginal people. That is why I was opposed to it and why I want to forget it, because I think that now is the time to build a new Canada. Through processes such as this task force, I think that if we are listened to as Canadians, then perhaps we can have some justice in the Canadian Constitution.

Mr. Ashton: I find your comments, too, to be interesting when you talk even vis-a-vis the latest Quebec position and their stated intent to obtain sovereignty, and the way you counterpoise that with the sovereignty that has never been ceded by aboriginal people in Quebec to any authority, whether it be Province of Quebec or Canada. There is a large area in that province which has never been the subject of treaties.

I am just wondering if you were in the position of being able to not just speak here to this committee or to the people of The Pas, but even more generally to the people of Quebec, how do you explain to them and perhaps to other Canadians as well exactly what the aspirations of aboriginal people are and why they felt so left out by Meech Lake?

Ms. Delaronde: Well, I think aboriginal people have been left out of the entire constitutional process, not just Meech Lake. I think the way the lack of process has continued to ghettoize the needs and concerns of aboriginal people and leaves us almost on a— I do not know, I guess something that I can, or at the mercy of say, for example, the federal Government like what

had happened in the Northwest Territories. Bill Erasmus, who is the president of the Cree and Dene, Metis Dene association, with their organization had negotiated the largest land claim settlement in Canada. That was referred to in Mulroney's defence of Quebec saying all the good things that they had done for the aboriginal people.

After the Oka crisis, Tom Siddon proceeded to dismantle that particular comprehensive agreement. In order to ensure that the rights of aboriginal people were not extinguished in the territories, Bill Erasmus went around talking to the different communities, so Siddon then cut off their funding and stated publicly that he was not going to give Bill Erasmus any money to dismantle these individual agreements that they were making as opposed to the comprehensive agreement.

So I think that there still continues to be no will of the federal Government to address the issues of aboriginal people in a comprehensive manner. Unless there is some process that is entrenched within the Constitution, I guess we will continue to be at the mercy of Ministers.

Mr. Chairman: Thank you very much. Any other questions? Yes, Mr. Hickes.

Mr. Hickes: I would just like to get your opinion or your judgment or whatever. We hear through the whole constitutional talks and this round coming up, if Quebec is not satisfied with the offer they get on the table, they will separate. As we are all aware, there are quite a large number of aboriginal people living in northern Quebec. What do you think would happen there? I do not think they would want to go. I do not know. Have you heard anything through your meetings?

Ms. Delaronde: Well, I have had some discussions with aboriginal people in Quebec. I think the mistrust or distrust of Government is within that particular part of our community as well. Given the will, they would not separate, because the land is theirs. I do not want to get too radical on that statement.

Mr. Hickes: Okay. Thanks then.

Ms. Delaronde: Thank you.

Mr. Chairman: Thanks very much.

Ms. Delaronde: Thank you.

Mr. Chairman: Myles Donahue. I did not realize, sir, now I do when I see your brief, that you are representing the New Democratic Party Association of The Pas. Good evening, sir, go ahead.

Mr. Myles E. Donahue (The Pas New Democratic Party Association): Mr. Chairman and Members of the task force, I would first like to thank the committee for the opportunity to have the views of our organization presented here in The Pas. I see as a positive first step the province's willingness to listen to the people prior to committing itself to a course of action on one of the most fundamental issues facing Canada today. Perhaps these hearings and others conducted throughout this nation will guide Governments in producing a document of which all Canadians can be proud.

Given the failure of the Meech Lake Accord to address the legitimate constitutional aspirations of aboriginal peoples, the primacy of the Charter of Rights and Freedoms and the future ability of the territories to gain provincial status, it is perhaps best that it failed to gain acceptance and fitting that it failed in Manitoba. The Meech Lake Accord presented a vision of Canada as, not a country unified by a common bond of history, heritage and beliefs, but a country divided into two factions by language. The accord not only allowed for the balkanization of Canada but, indeed encouraged this division through reductions in the responsibilities of the federal Government. Future generations shall see its defeat not as a loss to Canada or a rejection of Quebec, but as a realistic attempt to save Canada from those who would destroy it.

* (1950)

Canada has a unique history as a nation. Not only do we celebrate the two founding nations of our modern culture, but we continually accept the immigrant from all societies and attempt to weave this cultural diversity into the fabric of what we call Canada.

Multiculturalism and our acceptance of peoples of diverse socio-ethnic background have made us the country of choice for immigrants from all points of the globe and the envy of many nations. A brief glance at the world around us illuminates the strife caused by racial, religious and ethnic intolerance.

Our one flaw in this recognition of the diversity of Canadian society is our failure to recognize the legitimacy of the aspirations of the aboriginal peoples of Canada. The Constitution of Canada must recognize the treaties and agreements that constitute the beginnings of our nation. Treaties by their very nature recognize the sovereignty of both the signators. No treaty was signed which gave up the

right of nationhood of the aboriginal peoples. Indeed, that right was recognized and reinforced in treaties of the day. The Government of Canada has recognized many of the aspects of the treaties signed by our forefathers. It is time that we came to grips with the question of self determination of our aboriginal peoples. Future constitutional documents must not fail to address this matter in a fair, responsible manner.

All nations with fair, democratic Governments recognize the primacy of one statement or charter intended to limit the powers of the Government and spell out in unequivocal terms the rights of its citizens. The Magna Carta and American Bill of Rights are two such documents. They, in essence, recognize that Governments have no right to limit the freedoms of citizens in fundamental areas.

The Canadian Constitution must recognize basic rights of the citizens of Canada. Never again can we allow a notwithstanding clause to slip into constitutional language. Basic rights of Canadians cannot be laid aside at the convenience of the Government, be it provincial or federal. If Canada is to remain a country, those rights must be protected as vigorously in Newfoundland as in British Columbia. It is those rights and freedoms which bind us as a nation. Allowing provincial Governments to discard them as they see fit threatens the very fabric of our nation. Enshrining the ability to set them aside in our Constitution makes a mockery of those very rights and freedoms.

As with the Charter of Rights and Freedoms, Canadians have come to expect universality in other matters. Our nation was founded on the belief that geography should not impact on one's right to health care, education or opportunity. Canadians have struggled long and hard to ensure the basic quality of life was not determined by the wealth of the region in which one lived. Opting out of core programs must not be an option for any province.

The federal Government has a historical responsibility to ensure the key aspects of Canadian society remain universal. While it may be politically advantageous in the short term for some provinces to take part in a power grab, it would be done to the long term detriment of Canada.

Without assurances of federal standards, the have-not provinces would be forced to reduce health care, educational and other social services in order to reduce taxes to attract industry and development.

This move would result in a downward spiral of quality of life of Canadians as provinces and regions compete for economic development. Witness the degradation of the quality of life in those have-not states where industrial investment results in lower standards of living.

Canada has a responsibility to all of its citizens, a responsibility which we must not allow a present or future federal Government to disregard.

Equal treatment for all regions of Canada must include the ability of the territories to achieve provincial status without undue impedance by other provinces. The necessity of unanimity in constitutional amendment, including the granting of provincial status, does not fit within the context of a democracy.

A democracy depends upon a community of interest and the willingness of all participants to respect that community of interest. An amending formula for any future Constitution must respect the democratic process upon which our Constitution is based.

If Canada is to overcome the failure of Meech Lake and the arrogance it reflects on the part of this nation's Leaders, it must prove, through its Constitution and Charter of Rights and Freedoms, that the interests of all Canadians are protected and that all Canadians are reviewed with respect and tolerance.

These documents must not promote or allow a power grab by individual provincial Governments or a disregard on the part of the federal Government of its responsibilities. Diversity is possible, and regional cultural differences are acceptable. Provinces will each retain their own distinctive flavour, not in defiance of national standards but because of them.

Our Constitution should not dwell on regional differences or areas of dispute. Rather, it should make known the basis by which our nation identifies itself. The Canadian Constitution should be a document which details the responsibilities of the various levels of Government, ensures fairness and consistency in its dealing with its people and allows cultural diversity to flourish within all regions.

The rights of individuals and the needs of society must be weighed and balanced in a distinctly Canadian style. There does exist a community of interest within Canada, a community of interest that while not pleasing all Canadians can be accepted by all Canadians and defended by all Canadians.

The "me" generation is maturing and given

appropriate leadership and the opportunity to communicate nationally is capable of becoming the "we" generation.

Perhaps this forum and others like it will point the direction that we must take to ensure that Canada is allowed to mature and grow. The process depends upon the politicians listening to average Canadians and forming policies which reflect the will of those average Canadians.

Failure to listen and to act upon the will of the Canadian people will doom any future constitutional accord to failure, just as the failure of the Meech Lake Accord to recognize the aspirations of aboriginal people doomed it to failure.

Mr. Chairman: Thank you, sir. Questions—Mr. Carr.

Mr. Carr: Thank you, Mr. Donahue, for your presentation.

I have a question to ask you about the process of determining a position for Manitoba as we enter these negotiations—and maybe even to look backward for a moment.

When the Manitoba Meech Lake Task Force was set up a while back all three Parties determined that it was in the interests of the province that there be no political posturing, that there ought to be movement toward consensus, so that the Premier of Manitoba when he took a constitutional position to Ottawa could speak with one voice, the voice of all Manitobans.

That was respected by all three political Parties, and the leaders in spite of considerable pressure maintained that sense of unity, that consensus, on behalf of all Manitobans right through the peace, even though at some stage of the game it was considered not to be in the political interests of the Parties to do so. Similarly, we have taken the step on this latest round of constitutional talk to try to aim toward the same objective; rather than using a platform like this for partisan posturing or putting forward the ideas of any one Party, we would work together in order to come up with a Manitoba consensus.

I am just wondering, since you do represent the New Democratic Party here in The Pas, whether you think that is a good idea—this is a sincere question—or do you think that the province would be better served if the New Democrats put out a position here, the Liberals put out a position here and the Conservatives there, so that the people of Manitoba could choose between them rather than working toward a consensus.

Mr. Donahue: My personal feeling would be no. We would end up with a situation where it was done on the basis of power. It would come down to a vote in the House, rather than gaining consensus. I feel as long as everybody is being listened to and consensus is being worked toward that would be my preference.

Mr. Carr: Right. So you agree with the consensus that the Parties have been able to maintain up to now, and that is that there ought not to be partisan posturing in this debate, that we should all seek to come up with a consensus together.

Mr. Donahue: Definitely.

Mr. Carr: Okay. Now my second question is, are you speaking here tonight on behalf of the New Democratic Party Association of The Pas? Have the ideas that have been presented in this brief been vented through the Party Association?

Mr. Donahue: Yes, they have.

Mr. Carr: Through the central Party as well, through the media?

Mr. Donahue: No, this is just the New Democratic Party Association of The Pas.

* (2000)

Mr. Carr: I see. Okay. Thanks

Mr. Donahue: As a matter of fact, I am here on instructions of the membership.

Mr. Carr: Right. Okay. Are there questions?

Mr. Ashton: Knowing The Pas, I know what the instructions, how directly, would be. My question actually was quite apart from the process or the substance with the politics, and that is what the sense is in The Pas about the Constitution. I mean, we have heard reference to the fact, quite obviously we have a war, we have a recession, we have just come off at least three years of Meech Lake.

It seems for many of us like a lifetime. Even the last two weeks of it certainly seemed like a lifetime for those of us who are in Manitoba Legislature, but are you picking up much talk in The Pas about the Constitution? Are people still concerned about it? Is there a constitutional burnout perhaps?

Mr. Donahue: I would think your letter of statement may cover it. At this point, there does not seem to be anything to react to. Possibly that is an advantage at this point, that we do have some opportunity to be involved in the actual policy-making portion of the process. I think you are right, there are other issues that are more immediate, but this remains a strong

issue nonetheless.

Mr. Ashton: So even if there is an element of burnout—

Mr. Donahue: There is more an element of frustration at this point with the Meech Lake process.

Mr. Ashton: So people are looking for a way of ensuring their concerns are heard initially.

Mr. Donahue: Yes. It is more a questioning now and a defining of values than it is a reaction to a process.

Mr. Chairman: Mr. Donahue, your paper is very polite, sir. It has an air of civility about it, but I think there is a between-the-lines message. I want to be sure that I am reading correctly between the lines and that is, it is in your opinion essential to preserve the capacity of the central Government to protect national programs of interest such as health. If one or more of the participants are not interested in that and are not willing to continue to support that aim, then what?

Mr. Donahue: My feeling is that is a decision that will have to be made when we come to that impasse. I feel that in some ways the federal Government is very much responsible by encouraging certain provinces to get involved in, let us see if we can dismantle the federal system. The federal Government has not—and this has carried on through a number of Governments, not just the present Government—lived up to its responsibility.

If we go back to the mid-'60s, when bilingualism and biculturalism were supposedly the bywords, and everybody in Canada was going to be bilingual, the federal Government very rapidly backed off of that premise. I believe had that happened at the time that it was proposed, we would not be in the difficulty we are in now. Instead we had Quebec saying no, no, we do not want English, and we had the rest of English Canada saying no, no, we do not want French. It was dropped.

The federal Government is not living up to its responsibilities, and its responsibilities, if we are to remain a nation, are to ensure that the things that are common to Canada remain that way and the things that are Canada's national identity are reinforced, not eroded.

Mr. Chairman: You would be clearly opposed then to a constitutional veto for one province?

Mr. Donahue: Definitely.

Mr. Chairman: Any other questions? Thank you very much, sir.

Our next presenter is Richard Goudy.

Mr. Richard Goudy (Private Citizen): From what I understand of what this is, it is just a place to come and sort of say to the federal Government how we understand what is happening. What I would like to say with the GST on it is—

Mr. Chairman: Why do you not sit down, sir. Make yourself comfortable. We are talking about—you probably saw our pamphlet. I hope you did.

Mr. Goudy: No, I did not.

Mr. Chairman: Oh, well, why do you not have a look at our pamphlet, and we will call you after you have had a look, and you can also chat to one of the staff if you like about—

Mr. Goudy: I think I understand what this is about, and basically it is just to air an opinion of what is happening like with the GST—

Mr. Chairman: Well, it is about the future of the country. I do not want to stop you from saying anything. It is just that I am not sure you understand what we are all about.

Mr. Goudy: Well, maybe I am not, but I am going to try. I think I do. What it is, the GST, and the people of Canada, whether they are opposed to it or for it or whatever. What I would like to say is with the GST, I think, when the Canadian public want the Government to foot the bill for a lot of things that they pay for, then I think the GST tax is reasonable and acceptable because of that. I hear a lot of taxpayers sayin', down with the GST. They do not want it, and yet on the other hand they keep coming back and saying, we want the Government to provide this, we want the Government to provide that. Am I on the right track? Is that what this is about?

Mr. Chairman: Well, I really hate to say you cannot tell us anything. I mean that is not the way we work. We encourage people to come and share with us. The sharing has been to date about where Canada should be going and, of course, I guess it is fair to say, sir, that the GST is already in place. It seems that you are a supporter of the GST.

Mr. Goudy: No, I am not. I am supporting the idea that I would like to see the Government cut back on their spending and ways to spending. I would like them to take the initiative and show Canadians where to draw the line on how to spend and waste money. They want the rest of Canada to put up with a lot of things and yet they will give themselves a big raise. I am not against raises. What I am saying is, it is a double standard, and I do not think that is reasonable for Canada. I think somewhere down the line the piper

has got to be paid, and what I am saying is, I would like them to take a hard look at what they are saying and what they are doing and draw a line. That is what I am saying.

Basically, I will not get into the war part because that is something that comes up, and it is like anybody that runs a budget on a household. If an emergency situation comes up, they have to deal with it with whatever means they have. When you are dealing on a month-to-month budget of income, expenses, et cetera, they have to be aware of the cost, and to just seem to be spending money without that regard and then to bring in the tax—I would also like to say that when they were trying to implement the GST, in my opinion I think that they were going about it in the wrong way. I am not saying I have the answers totally here tonight, but what I am saying is I think there is a better way that they could have done it. It goes right back to the Meech Lake Accord deal where they are basically behind closed doors trying to negotiate and then get the rest of Canadians to accept it. I think there is a right way and a wrong way, and I just wish that they would look at the right ways or other ways of doing things.

When you are talking about Canada for the future, that is the bottom line. You cannot keep doing things in the past and expect them to work in the future. We are living in a computer age which I do not have to tell you about. Everything happens very fast, very quickly. People are knowledgeable, more than they ever were, and hopefully that is going to continue.

The other issue that I wanted to mention, and I think it is of the future as well, when you hear all of these—am I on the right track yet?

Mr. Chairman: Look—do not—just go on. You are fine.

Mr. Goudy: Okay. They want to bring in something like 240,000 refugees per year on average, and with the abortion issue that was just defeated recently, what I would like the Government of Canada to be able to tell to the people of Canada, and not push it down their throats but talk to them about it in a way that makes sense. When you are dealing with people you have to understand the problem and help them understand it, and see it in two ways. We are a country that is crying for people coming up in the work force, they have built homes, they have jobs, they help the economy, and here we are helping abortionists try to defeat the whole thing what Canada is all about.

In Quebec they are paying families to have babies.

In the rest of Canada we are paying them to get rid of them and it does not make sense. Like, what is wrong with Canada? What is wrong with the Government and the people to try to understand? They are both asking for the same thing but they are coming apart at it. It does not make sense. So my issue there is on abortion, right? If the Government would not try to maybe educate the public in a more broader way of what the effects of abortion versus nonabortion have for the country, not only short-term but long-term, because there are some very detrimental effects. I just wish more Canadian people could see that.

When a person gets pregnant they are taking on a responsibility. When you drive and you are drunk, you still have the responsibility behind that wheel whether you are drunk or not. I think it is the same thing when a person gets pregnant. I am not blaming the women because the guys are out there too, really, but the point is those children that would be born otherwise, I think that they are the future of this country and we are selling them short.

That is my talk.

Mr. Chairman: Okay, sir. Thank you very much. Any questions? Thank you.

* (2010)

We are going to take a very short break, and I would ask my colleagues if you would not go away, please; five minutes maximum, back at 20 after eight.

Just before we do that, this is the list of remaining presenters, as I have it: Mr. Cameron Buck followed by Marge Nikolychuk. Is there anyone else who is to be heard this evening? Then we will hear those two presentations when we come back. Thank you.

...

The hearing took recess at 8:12 p.m.

After Recess

The hearing resumed at 8:25 p.m.

Mr. Chairman: Okay, Mr. Cameron Buck, sir.

Mr. Cameron Buck (Private Citizen): I am representing myself on behalf of the Literacy Program of Moose Lake, Manitoba. I am kind of sorry there is nobody here from Moose Lake. I would like to explain that we have a little problem here. There is nobody here from Moose Lake, unfortunately, today.

I would like to get an education myself. I have only finished Grade 9, and I am not going to be any racist

or anything like that, I am not going to be going against anybody. It is just I would like to express my views on behalf of education.

I hope you understand that, all of you that are in here, and I hope I am not making a fool out of myself on behalf of education. We have a centre there right in Moose Lake, it is called Weechewayin Centre. It is a Cree name, a helping centre, helping out the individuals that like to learn and all that.

My uncle attends that. His name is Hubert Buck and he attends every day and there are quite a few people who attend that. I myself have attended that. Excuse me, I am kind of nervous. I met a couple of you people just before the break and I am kind of nervous. My voice is kind of shaky, but I hope you understand that. I hope they are not rolling the video tape and all that. I would like to ask him, are you rolling the video tape?

Floor Answer: No, sir.

Mr. Buck: No, okay, thank you very much then. I would like to speak on behalf of myself as an individual. I come from Moose Lake, Manitoba and my name is Cameron Buck. I would like to express that I got the education in Moose Lake up to Grade 9, but then if you know when the Second World War came that is when after that—you know my father and my mother were not very educated. I did not have the opportunity of the education because they believed—it is very hard for me to express right now that my parents did not believe in education that much because on behalf of the Native people, it was very hard for them in them days. Now I regret that I did not get that education that the people, like the students have today at Cranberry Portage, Frontier Collegiate. It was very unfortunate.

* (2030)

I was only here, I came only to the door when my cousin Kathy Cooper was speaking at that time, otherwise I would have said something, but it was very hard for me. I am coming into the age where I am growing up now, and I have that lack of education where I was only throwing bean bags. You know what I mean, bean bags? Throwing into each other like that, because we had a lot of educators from England and all that. It would have been very nice if we had our own people educating us at that time. I am not getting racist or anything like that, but I am really glad I had those people. I still hold that peace with them because I have a grandmother up in England. She is living up in Brandon, Manitoba, up to this day, but I am not holding that against that because she is from

England.

I regret the time when I had that education, like it is very hard for me to express as an individual. I wish I had that education, because my sister came up to me a couple of days ago and she showed me the pre-graduation pictures that she is graduating in June from Grade 12 from Frontier Collegiate. I told her, I said, I wish I had that education. Can you excuse me for a moment? I told her that you are a very lucky person that you are having that education today that I did not have because I have finished Grade 9 as far as I went. I quit school when I was 16 years old. The reason why I quit school was—I am not going to name names or anything like that. We had that educator from England, and you know how it is. She did not understand how it was for me as a Native person. I come from a very small community, and she did not understand that because she was new at that time. She happened to pull my hair at that time, and my parents really did not appreciate that. They took me out of school because I was being mistreated and all that. That is the way my parents were brought up at that time.

I have just got a letter from—I hope I am not taking up your time. I have a lot to share with you today. I do not know. It makes me want to cry, because I have a lot of feelings, I have got a feeling too, you know what I mean?

I will share a message with you right now. We have just got our people starting to teach and all that. We have our own people from the community teaching. One of my cousins is teaching, and he has been teaching for about five years. He completed the teachers' course in Brandon University and is reliable to teach out of province.

He was kind of concerned that he was supposed to teach in another province which was the Northwest Territories. I had the opportunity to speak to him, and I said why do you not stay here in Manitoba and try and teach our own people? He finally got to agree with me that he was going to stay. He was helping Ontario just for the past year. He did not complete his teaching in Ontario so he got a job in Moose Lake.

I am from Moose Lake, Manitoba. Today the way the Government works for us in Moose Lake, Manitoba, it is a very sad situation.

We are approaching the election time for mayor and council. I have been asked to run as one of the councillors. Unfortunately, I cannot run. I had to decline, because I cannot work with the people, with

the councillors themselves. I cannot work, I have to work as an individual. I have to push hard. I have to fight in order to get where I am today. I had a hard time. I am not ashamed today to present myself as an alcoholic, because I am an alcoholic. That is the way I was brought up. My dad and my mom were alcoholics at that time, but I always strived to get that education to where I wanted to be. I made friends. It did not matter where I went, I made friends. I wanted to be somebody. I wanted to make somebody out of myself.

I hope I am not taking any of your time, because I wanted to come to this meeting, and I wanted to come and express myself. You the Government, I am asking you on behalf of my people of Moose Lake if you can do something for us, if you can educate us, because we are having a hard time today.

* (2040)

There is an educator in Moose Lake now. I have spoken to him personally, and he is leaving in September. He is going to be switching up to Moose Lake School, Frontier School Division No. 48. He is going to be moving up there. Frontier School Division is going to be paying him and all that. It was very sad that I had to talk to him. He was kind of depressed, because Moose Lake Band is taking over the centre.

I know we have a lot of funds coming from Manitoba Hydro. I had my \$500 from Manitoba Hydro, but that was not enough for me. That was not enough for me, because I am entitled to being a treaty, but it is very difficult today for me to be treaty, because the people in Ottawa are really compromising, uncomprehending. They have been asking a lot of questions to make it easier for you to understand. They have been asking for a birth certificate and all that. It is very hard for me to be treaty today. Otherwise I would have had my education paid for by the band or by Indian Affairs.

As an individual, I am not appealing for myself today. The way I have been brought up, I am glad I have been Metis. I was brought up as a Metis. I am not taking that grudge with me. I have got my card with me, and it is a lifetime membership, and I thought to myself, I might as well be Metis.

I read and I read and I read, and I have done a lot of research on myself and on behalf of my Metis status trying to find out who I was, and up to this day I cannot find out. My dad just got us in treaty, and I have spoken to my dad and I asked him, would I be able to get in as treaty? He told me he did not know

himself. I said that is okay, because I would like to get an education.

I tried, I applied to most of the agencies; I applied to social services to see if they could help me, because I am tired, I am tired of being a housekeeper, I am tired of janitorial work. That seems to be the only thing. I am tired of being a labourer. I want to be something, something to be proud of, something to hold like this with a certificate, that I can say I have done it.

My dreams were always to become an educated registered nurse. That is what my dreams were. I wanted to become a registered educated nurse. I applied in Thompson; they declined my application.

I have applied to cooking as a kitchen helper with Keewatin Community College a couple of years ago, and I had to give up. They accepted me, but my Student Aid came about two months after that. The course was way under way. I took that paper with me, that information with me, to Keewatin Community College and they said, you would not be able to get in until April. I said, okay. I gave up. I have tried so many times to try to get into Keewatin Community College here in The Pas, Manitoba and I could not. I could not get into that program. I wanted to get into the LPN program. When I applied for cooking, I got accepted in cooking, but that was not my goal. Today, we have to make an excuse in order to get to where we want to be. That was my excuse, I wanted to be a registered nurse, and I still hold that dream today. I want to be a nurse, because my people—where I come from, it is a very small community, about 1,000 people. Today I want to a—

Mr. Chairman: Mr. Buck, I am going to have to stop you there, sir, unfortunately.

Mr. Buck: Pardon.

Mr. Chairman: I am going to have to stop you there. We have a time limit, sir, of 20 minutes for each presentation. Your time has elapsed, and we have other people who have to speak to us. So to be fair to the others—

Mr. Buck: I am asking you today, will there be any funding on behalf of Moose Lake Weechewayin Centre? Will there be any funding from Frontier Collegiate or something like that? I would like you to look into that.

Mr. Chairman: I can promise you that we will certainly get more details from you.

Mr. Buck: It is very sad to see a person go like the

person that is teaching there right now. It is very sad to see him go, because he has been teaching there for quite awhile, and it is very sad to see him go. I realize that the band has a new building, and they have two classrooms. They have two classrooms, and they want to move.

Well, I am not really accurate with my information. It is just that I have heard through rumours, and I have heard through this individual person that I spoke to that the band was taking over. He was kind of depressed. Well, it is not only because he was depressed, but he was my teacher in the first place, and I would like him to stay over and bring me the education that I lacked.

Mr. Chairman: Well, we thank you very much for coming tonight and sharing your situation with us. It has been a great help to us to hear your personal experience. Thank you.

Mr. Buck: It is kind of hard for me to express my feelings on behalf of education. It is very hard for me emotionally, because I can feel it physically, because I lack that education. If there is any way if you can on behalf of your Government, I would like to ask you on behalf of education if you can look into any funding whatsoever that you can give about the education. You and the Government, I would like to ask you if you can give us some education.

Mr. Chairman: We are not here as a Government, sir, to give. We are here to listen. Certainly, we have heard what you have to say.

Mr. Buck: I realize that, and I appreciate that very much that you are listening to me. I am glad you are listening to me, and I would like to thank you. I have expressed my feelings on how it is for me to come from a very small community. I would like to thank everybody who listened to me. Thank you very much.

Mr. Chairman: Thank you, sir. Cameron, Mr. Hicks will have a word with you after we have finished. Maybe somebody would just tell him that at the back of the room please, thanks. Our next presenter is Marge Nikolychuk.

F (2050)

Ms. Marge Nikolychuk (Private Citizen): Good evening. Members of the task force, I greet you and welcome you to The Pas. As you know, I have been here all day taking notes—

Mr. Chairman: Yes, you have been a very, very patient listener.

Ms. Nikolychuk: I had not planned to present, but I

went to my office at supper time and put together some thoughts I had that I did not feel had come forth. I have heard some excellent things today. I think there have been some very good ideas presented, but there are some areas that I would like to deal with, so if you will bear with me I will try to go through them.

I am speaking tonight not as a professional as many here know me in other capacities, but I am speaking as a Canadian, evangelical Christian. I am a first generation Canadian. My parents did not have the privilege of having been born in this country as I did. My mother and her family came from England and my father's family came via Sweden via the United States. However, my father always taught us that we, and he included himself, were Canadians first and foremost. He refused to speak his mother tongue because he believed that you learn to speak the language of the country that you are living in which at that time and place was English. Sometimes I regret that. I wish I had learned my mother tongue, but Swedish would not have done me much good tonight anyway. You would not have understood me.

My husband and I farm in the Carrot Valley where he has been a farmer for 45 years, and we also have both served in the military in defence of our country and the freedoms that we hold dear, and for a unique and valuable heritage that we want to pass on to our children and our children's children. We believe in a united Canada and are Canadians first.

Today the word Canadian seems to confuse many in this country. Are we two nations or one? What do we as Canadians want? That is what I want to share with you tonight, what I feel I want. Francophones in Quebec disown their Canadianism by desecrating our flag and yet seem to want more than their share of the rights and privileges of being a part of a great country. I believe we probably cannot survive as a country in our current form and mainly because we have to resolve to be Canadians first and Quebecers or Manitobans second.

The obsession with Quebec has got to come to an end. The world cannot understand why we keep on focusing on Meech Lake and the province of Quebec instead of focusing on our international issues, as Joe Clark has often said to us. There is no disguising the fact the Canadian obsession with Quebec has to come to an end if we are to survive as a nation.

Current polls indicate another Francophone, Jean Chretien, is projected to be our next Prime Minister, which means that except for eight months for a third

of a century our Prime Ministers have all come from Quebec. This being the case, unless Canadians determine otherwise, once again in another election Quebec will be the prime issue.

Before that takes place, perhaps we should start looking at getting the treaty rights of the aboriginal peoples solved. If these treaties were made in good faith, they should be honoured and resolved as quickly as possible. These things have been dragging on for just far too long.

In the Toronto Star on July 17, 1990, John H. Woodrow says that he reckons the vast majority of Canadians are fed up with the appeasement of Quebec for its effects to force bilingualism where it is not wanted or required, the amount and numbers of federal subsidies to Quebec, two of our federal Parties being led by Quebecers. Frustrated Canadians are finally speaking up for the previously silent majority. Canadians are disillusioned by federally promoted and funded bilingualism imposed on this country. Neither bilingualism nor multiculturalism help to promote national unity. If we considered ourselves Canadians first, we would not have politicians pandering to diverse ethnic groups for votes.

Also in the Toronto Star of July 10, 1990, a Jewish writer, Bruce Rosenberg, states, we have heard a great deal about Quebec's humiliation, but who speaks about the humiliation of non-Francophone Canada, the humiliation from a Prime Minister whose total agenda is Quebec and whose position will always favour Quebec to the detriment of Canada, the humiliation of a federal separatist party forged by Mulroney that dwells within his Cabinet and Quebec Caucus and whose spokespersons tell us that they will stay in the Government to work for Quebec, but not for Canada. Now, this statement is not necessarily my true opinion of everything or of the Government, but Mr. Rosenberg certainly is expressing the feelings and the sentiments of many of us here in Canada.

Now, you may ask, why my great concern about the Quebec issue and why I am emphasizing this? Well, one is the economic taxation burden of carrying Quebec. There are untold billions that have replenished Quebec's coffers in equalization payments along with \$20 billion already spent on bilingualism and multiculturalism, which have only served to divide this country. I saw this coming when I was in the armed forces years ago, and it frightened me then. It was to be enforced on us as, again, it was when I worked for the Civil Service. We must learn to

speaking French if we wanted to work in the Civil Service or remain in the military. Now, it is a rule of thumb that only 5 percent of any population will opt to be bilingual unless coerced into doing so. Perhaps these billions of dollars spent on bilingualism and biculturalism could have been better spent settling the existing Native land claims.

Well, what about legislator Reginald Aboock's statement in the *Toronto Star* on July 24 that the GST would benefit Quebec residents twice as much as their Manitoba counterparts? Is our capacity to pay increasing? No. Our current recession more resembles our depression of the '30s. We must learn to live within our means. You know my husband always marvels at the fact that whenever we are about to get a belt-tightening message from the Government, federal, provincial or local, they vote a pay increase for themselves first and then we, the common people, are told to tighten up.

I have said all this not just to rehash the past, of which we have had more than enough, and I am sure you have heard more than enough, but I want to say that I love my country, and I am sick and tired of watching politicians trying to tear it apart in deciding who should get the biggest chunk of what, for purely political reasons. It is about time we saw less of politicians acting like schoolboys in the Senate and the House of Commons, in fact, I have taught much better behaved and less rude schoolboys.

* (2100)

We need to have more equal representation of all peoples of all areas in the country, duly elected by the people and truly responsible to the people who elected them. Whether or not an elected Senate would improve matters I am not certain, but what we have is not effective and we certainly do not get equal representations from here, Upper and Lower Canada still get to call the shots it seems after so many years.

I firmly believe that every man or woman in this country needs to bear the burden of paying their own way to support and keep this country intact. Equalization payments have great merit, but only if all are equal in our right to say how our country is to be run.

Now I said when I began that I was a Canadian evangelical Christian, and I will now explain what I mean further. Being an evangelical Christian means that I base my beliefs without apology on Holy scriptures, the Bible, and I believe our country was founded on Christian precepts from which we are

straying very far. As I speak there are many in our country who will agree with me, that we want godly Government in which all men, women and children are treated equally and the rights of all are protected by laws based on God's word and the Ten Commandments.

Government is to protect the rights of all human beings against the stronger more vocal majorities. As a Christian I believe in the sanctity of all human life from the moment of conception to natural death, and I want the kind of Government entrenched in our Constitution that will ensure that for all of our peoples.

The Supreme Court was established to protect our rights, and yet has now become an interpreter of what laws should be passed by our Parliament. Instead of upholding the law, they are making a mockery of justice; instead of upholding all our rights, the Supreme Court opts to oust the Bible and prayer from our schools and brings in kirpans and condoms, and by doing so renders our youth morally bankrupt and spiritually bereft.

I just recently returned from a trip to countries of the Soviet Union and I saw first-hand what happens to countries, such as my husband's homeland of the Ukraine, where there is no godly Government by the people, no sanctity of human life, to the rest of us Canadians what is good and right for all of us.

I want Quebec, all the provinces, the aboriginal people and the newcomers integrated into one strong country with a strong federal Government, but I do not want to be dictated to or told what is good for me by those who only walk through the land at election time. I want input. I want to be asked what I think will work. I want responsible, godly Government as it was meant to be. I am not yet ashamed to be called a Canadian, but I am ashamed of many of the shenanigans of our country's leaders and politicians.

Let us settle the Native aboriginal question, the language question, the Quebec problem by meaningful negotiations from the grass roots, as you are attempting to do. Let this just not be another task force with another report to be shelved, or window dressing for some hidden agenda to be pushed upon us. Let us act like Canadians who first and foremost love our country and want to maintain the godly heritage we once had with true unity in brotherly and godly love, regardless of our diversity which makes us so unique.

Thank you for giving me your time.

Mr. Chairman: Thank you, Ms. Nikolichuk.

Ms. Nikolychuk: Nikolychuk.

Mr. Chairman: Nikolychuk. Sorry.

Ms. Nikolychuk: It is all right.

Mr. Chairman: I got it right finally. Any questions?

Mr. Ashton: Some of the themes that you touched on, particularly in terms of process, grass roots up, were discussed yesterday in Thompson. One question I asked then of a number of people, because I know there is a real level of cynicism out there, people feel they have been left out. I find more and more people in Canada feeling like they are on the outside looking in when it comes to decisions that affect their lives. I am not just talking about the Constitution, I am talking about the general process.

I am saying that as someone who has been in politics. I have been an MLA now—I have represented Thompson for nearly 10 years and, quite frankly, sometimes I feel I am on the outside looking in as well. I am wondering how we can achieve that grass-roots involvement. As you said, this is part of it. Do you have any other ideas on how this task force—by the way, I am not a normal Member of this task force. I am not saying this out of criticism, but I know I have talked to people who are regular Members of this task force and are looking for ideas on what else they can do in addition to these types of hearings. Do you have any suggestions?

Ms. Nikolychuk: Well, I guess I will reiterate what I already said, that we come and we speak to you, but do we ever see action? So people get discouraged about even coming. I know there are a number of people who are not here that I would have expected would have been. We are very discouraged with politicians and with processes that do not happen, that do not bring action. I think what we need to do is we need to see action after this.

If there are going to be more meetings followed up, we did not get the advertising. We did not get to know about these things soon enough or what the process is. People were not sure of what today's was all about. I was not sure what it was all about, what you expected or what we can do. We need to know these sorts of things. What is the process? What are you aiming at? Where is it going from here? What is going to happen, or is anything going to happen? Those are the things we need to know.

The task force was put together quite quickly, and I do not think—you know, to touch five, six places out of a province, to me, you are not getting the representation from this province. I have heard you

say that you might be coming back again, and I had discussed this with some people here on the floor. There are other communities that certainly should have been touched. There are other diversities that you have not even probably reached and probably will not. We do get a little annoyed in the North and in the rest of Manitoba. Winnipeg may be 600,000, but there are another 500,000 of us out here, and we would like to be heard. We would need to see more things in the North and the other parts of the province. We are not heard from. We do not get the input. We really feel that. I do not know if that answers your question.

Mr. Ashton: No, and I understand the sentiment, being from Thompson. There is a real alienation. I can tell you from yesterday's hearings and today's, and that is maybe a bit parochial, but I think people are getting the message across. We had some pretty lively presentations both days, and I include your presentation as part of that.

Mr. Chairman: Thank you again.

Mr. David Dick. Mr. James Hemauer. Sorry, I did not see you, Mr. Dick. Please go and sit down. You came out of the corner. I was not looking.

Mr. David Dick (Private Citizen): Hello. My name is Mr. Dick. I am from the Pikwitonei area. I was brought up there. I have not got a brief or anything, but I am just going to—what I went through in the past with these bureaucrats, or whatever you call them, or MLAs. So I am disappointed in them, and I do not belong to any organization, but if I tried to get into any organization now, I could not fit in there. Maybe I am too honest, or maybe I am selfish or something like that, I do not know, or a racist. So in my opinion I am a small labouring man. I worked for the CN for many years in the past, and I have seven kids and I have four grandchildren.

* (2110)

So in my opinion I made a lot of statements to—I wrote letters. I have all kinds of letters writing to my MLAs or whomever is in the Legislature who represent our community, like Jay Cowan, he represented the North in the past, for my health problems. He never done nothing. So is Steve. I wrote letters to him, and he never done nothing. I went to the lawyers. Another thing, too, I went to the Workers Compensation Board. I tried the Workers Compensation Board. I never got nothing.

There was a committee came in the past. It was NDP, the review board committee from that, and I went there and expressed my opinion. Nothing

happened. That was when the NDP was in power.

I tried everything and nobody ever listened to me. So what can you do? I was stressed, depressed. So is my wife, depressed and stressed. I am trying to put my kids through school. I had problems with my kids through school. I could not do anything. I went to meetings. I have done everything, and none of them finished school. They drop out. I try to solve the problem with the teachers and all that. I could not do it. I tried every organization. I tried to get help, to get counselling, could not do it. Even today, I am still trying. I cannot fit into an organization. Maybe I am too honest.

For 13 years I took medication. I had a nervous breakdown. For three years I took the medication off myself, because I was manipulated by the doctors and my back problem. Still I have that pain, but I do not take any more medication any more.

I went to the lawyers to solve it, and I just get a little bit from economic security. Sometimes I cannot even get help and economic security, so it is a painful situation what I went through. A lot of things I managed myself in a way that I regret, and I returned home. A lot of things the Government is going to regret but what they get in return.

So I am not trying to hurt anybody, but a lot of times I could not fit into any organization. I know what is going on in this world and I know about Quebec, about Meech Lake. I was the one that told the NCI to kill Meech Lake, and he did not believe me. So I guess they wired down from Winnipeg or to Harper. I did not even fit in there, just so much was going to happen to Meech Lake, and I kept phoning there about that.

Just because I have no education, that makes it look bad for the people who have education. So I am looking forward for the better future. If I can get organized or make an agenda to, you know, I could not fit in any place. I am underestimated. They underestimate me, I think.

I had everything. I had a trapline, too. My dad's trapline turned down. We never received anything when they were giving out these grants. They were recognized, but I had my own Ski-doo. I never received anything out of that. You are supposed to be a recognized trapper, but I was recognized on my social assistance.

In a way, what little fur I had, I never received no grants for anything. There are a lot of things I know that are going on, but I have no regrets against anybody. I have all the doctors, what they used to give

me, all kinds of medication. They even tried to turn me like a white man. They just turned my hands pure white. Maybe that is why I know these things. I have seen psychiatrists. They were like from Selkirk. I decided one time myself they are giving me all those fears.

Northern Affairs one time came to the house there. He said I was a squatter. He said you do not belong here, you do not pay your taxes, and all the grants were coming into Pikwitonai area. What is the difference? They are just the same as squatters, they just get Government grants.

We could have been self-supported, in any community you could have been self-supported, and that is what I have said in the past: when the grants were coming in, but nobody would listen. Sure, there were a lot of programs in the past, all kinds of them. I am treaty now, I am under Bill C-31, and I do not fit into any treaty. So what do you think of that, Steve? At least, what is your opinion on that?

Mr. Ashton: You and I have known each other over the years. I think you have raised concerns, I know we have written letters, Workers Compensation, Natural Resources. You mentioned about the trapline situation recently in terms of Split Lake, with the C-31 status and people not receiving the money, so certainly I am aware of it. I know you have moved to The Pas since and I assume you have been talking to Oscar about some of the concerns as well, but it is interesting seeing you after it has been about a year now, I guess.

Mr. Dick: Yes, and that provincial election was going on that time. I presented it to you, you were going to do something about the lawyers and getting Legal Aid about my problem, and I did not get it. So what is your opinion on that now?

Mr. Ashton: I know your frustration. We wrote to them and they refused to change their decision.

Mr. Dick: Yes, but nothing happened.

Mr. Ashton: They would not change their decision not to give you Legal Aid. That is right.

Mr. Chairman: Well, Mr. Dick, I am sorry to see you have to share some great sadnesses in your life with us, and I appreciate that you have done that this evening. I wish we were here to solve problems. We are here to listen, you know that.

Mr. Dick: I understand that you would not be able to solve it, but in the future, I would like to make a better future for myself too, for future generations.

Mr. Chairman: I understand. Thank you very much for coming up and talking to us tonight.

Mr. Dick: I really thank you for listening. At least nobody is arguing with me, unless Steve wants an argument. Maybe he will manipulate me, I do not know.

Mr. Chairman: Thanks again, sir. I would like to call Mr. James Hemauer. Did I get your name right, sir? It is H-e-m-a-u-e-r. Is that correct?

* (2120)

Mr. James Hemauer (Private Citizen): That is correct, yes.

Mr. Chairman and Members of the task force, as an ordinary Canadian I thank you for the opportunity that, I guess, as a commoner, I can sort of sit here and vent a few bouquets and vent a few frustrations. Probably if you came to The Pas, if it was by air you would have come out of the airport where you looked at half the sign that said, The Pas Airport, and the other half that said, l'aéroport de The Pas. Well, I saw this and I was surprised that this was not in Cree and English, instead of in English and French.

Anyway, what I would like to do is just to share for a moment a few of the things that as ordinary Canadians—and I sort of pride myself as being an ordinary Canadian and I am proud of being a Canadian, but a lot of times when you hear things on the street or in the coffee shop, and a lot of times people will say, well, what is the use? Well, I am just one of 26 million Canadians, and I really appreciate the fact of being able to live in the country that we have, with our benefits and I guess sometimes without some of the benefits.

My grandparents came from Germany in 1888, but when they came, they came without any funds. They homesteaded in what was the Northwest Territories and then Saskatchewan and they worked hard. The only thing they had going for them was their faith, a lot of satisfaction and hard work.

I guess throughout the years when we look at ourselves as ordinary Canadians, or if we look today, we look at a Government that I feel in my opinion is basically a dictatorship because, as the Constitution was defined or as we, as a Canadian people, voted or were told to vote, we had the opportunity of electing a Government. It was always my impression that when you had a majority in society that favoured something, basically a Government or a Party or an organization listened. As an ordinary Canadian, I feel this has really gone by the wayside.

If we look at the Constitution, I would like nothing better than to have a country where we all can live in harmony, but first and foremost to be Canadian—our heritage and our culture second, but first and foremost Canadian. We are asked to express our opinions, what we believe, and I believe a lot of common ordinary people feel as I do.

One of the things we certainly see out west is western Canada has a voice. Their opinion will be listened to, and they definitely will be part of the decision-making process. In fact, the West will benefit from us if we are elected. That is a real song-and-dance story, because we hear this before every federal election, and the day after the election, Ottawa forgets we exist out here. Let us face it, western Canada is not a priority on Ottawa's list.

Native people, the Native people in our country—and if anyone has the rights, and I am talking about the rights that stem from Day One, it is certainly our Native people. They are the ones that should be listened to more attentively. Years back, 100, 150 years ago, it was only then that the majority of immigrants that have come here are here now. They have found a new land, and they broke the ground in Canada, and that is a Canada as we basically see it today. I do believe the Native people really feel themselves as being Canadian. Unfortunately, many other groups that have come into this country want to erode what Canada has made Canadian. Be Canadian first and the rest second.

Bilingualism, I understand the word bilingualism to be two languages. I feel we have a great opportunity to learn in this country, but there are more languages than French and English that exist. If Quebec wants to maintain their language, great, but I do have a problem when I buy a box of corn flakes or read the instructions for assembling a table saw, but I see two languages. If there are two languages that must exist in this part of the country, I guess then I want English and German, and many other people would want English and Cree, or English and Polish, or English and Ukrainian. I have no personal quarrel with anyone of French descent, but Quebec as a province has not in my opinion opened the doors to the same opportunities for everyone, and Constitution, well that is a nightmare.

Quebec has always expressed their concern about being badly dealt with, and perhaps rightly so. Is this true or not? How about us? I think we have been held hostage as well, and I believe we have a lot to offer the world as a nation, but there are times when

decisions have to be made, and if Quebec as a province feels they want to go it alone then so be it.

How long can this game between Ottawa and Quebec go on? Let us face reality. This song and dance story is costing us billions. And bureaucrats, I am glad to say that the representatives we have here from the provincial Government—I do not put you in this category because you have come down here from the Legislature and so on, I put you here as, hey you are being a gas. Okay.

A lot of times to try to get to our M.P.s, sometimes we have success. Sometimes to get to the answers we have to go through bureaucrats, and unfortunately some of the bureaucrats, and particularly in Ottawa, are so entrenched that they become the untouchables. I do not mind paying taxes, but I do mind paying taxes when millions of dollars are squandered annually, and no one seems to give a damn in Government, except the Auditor General and his hands are tied most of the time. Frustrations? Yes. Solutions? That is a big word. Sometimes you can start from grass roots which is right here, and hopefully some of this can filter up through the system, but someone writes to Government officials in Ottawa—I know I have myself—and if you receive a reply it is so vague you wonder if it paid to write. If more common people could carry more clout other than at election time and if there were severe penalties for goof-ups by those responsible—and I am talking about bureaucrats—I believe a lot more in higher Government positions would sit up and take notice. As far as I am concerned the untouchables must be touched.

Perhaps more avenues in the form of ombudsmen or women, for people to communicate with the higher-ups, ordinary people like ourselves to bring them down to our level, to the level of ordinary Canadian citizens would be a starter. How many times have you heard someone say, what is the use?

* (2130)

Thank you for the opportunity to vent my frustrations as an ordinary Canadian citizen. I am proud of it, and I hope that your opinions gathered throughout the country will give an indication of how we feel, positive and negative.

On a lighter note, I would probably expect that after the hearings are over the federal Government will have a Royal Commission on this issue. Thank you.

Mr. Chairman: Thank you sir. Any questions? Thanks again, we appreciate your input.

Mr. Hemaier: Thank you very much, and I hope your stay in The Pas is quite okay.

Mr. Chairman: Pleasure. Are there any others to be heard, ladies and gentlemen?

Then I would like to thank you for coming again this evening, some of you both this afternoon and this evening. You have been very faithful. We have enjoyed our day. We have learned a great deal.

It is interesting how in some of the smaller locations in this great province of ours we hear some of the greatest words of wisdom, and that has been true of our experience here and elsewhere. I will not become any more specific, because that would be inappropriate from a neutral chair. It has been a very meaningful day for us, and I thank you all.

I promise you that what you have said will be heard and has been heard and will be read, and we hope we will be able to do as well as some of you perhaps agree we were able to do in the Meech Lake Task Force, and that is transform what we heard into a reasonable and meaningful consensus which then became the position of the Manitoba political Parties as we went into the stages of considering the Meech Lake Accord. I agree, in the final event and on the last day, it was a single voice that said no, and we all know of that. There has been much said of that in our hearings and properly so.

We will listen. We have listened. We will read, and we will mark and digest and, hopefully, come forward with something which reflects that which is the Manitoba view, recognizing that we cannot satisfy everyone, because in this great province of ours of a million plus, there are obviously many different viewpoints. It is interesting how many commonalities there are as well as some striking differences.

Thank you again. My thanks to our colleagues who have joined us tonight as substitutes, and my thanks to the regulars who are with us.

Now, has somebody had another idea? Would you like to speak now, sir? I am sorry, did I miss you when I called for somebody else? Did I miss you?

Mr. Odie J. Moran (Private Citizen): Well, yes, you were not looking.

Mr. Chairman: I am sorry.

Mr. Moran: That is par for the course, sir. You know that.

Mr. Chairman: Sit down.

Mr. Moran: By the way, my name is Odie Moran, and I am here just simply after myself because nobody

else stood up for me anywhere. It appears to me that I have to do my own battle.

I did not come here to aggravate you people. I have come with the intentions that maybe I could give you something that would assist you instead of trying to steal from you. I know that in politics everybody goes out to see how much they can get, but I could care less. I have been retired for five years, and I still have enough money to live. I did not come here for that. I came here to thank you for your trying to do something for the people who cannot talk for themselves. There are so many of them, but it seems that we get carried away, and we start expressing our personal things. No, I think we should try and look at our country, our designated country wherever we are, where we live, and to see what we can do to improve on the situations here.

I am sorry I will bring in a little bit of politics. Just lately they okayed for abortion. They let that legislation go through. They put it through. I know my wife will kill me, but I think that was a wonderful thing to let a woman be in charge of her own self. Then if the men complain about it, gals, why do you not tell them why does he not carry it for nine months?

I am not here to ridicule anybody, except the fact that I enjoyed listening to what I heard, but it was always the same. Everybody is trying to see what they can get. How do you put up with that?

I did not come here to even burn a cup of coffee. The thing is I am here. I just want you to know that I think you people are doing a tremendous job in what you are trying to do. What you are trying to do and what you will do of course are two different things. We all know that.

I think you have the nucleus of a good bunch of people here who have the expertise to go on from here to the Government. That is just in my brief being with you here this evening. Except for that character over there, I have known him for years. That was his good luck.

I am going to say now, thank you very much.
-(Interjection)-

No, I will not say that, because I gave you something. You did not give me anything.

Mr. Chairman: Thank you.

We are adjourned in The Pas. Thanks again everybody, good night.

HEARING ADJOURNED AT: 9:37 p.m.

WRITTEN SUBMISSIONS PRESENTED BUT NOT READ

The following are presentations to the Manitoba Task Force Hearing on Meech Lake, The Pas, Manitoba, Elks Hall, April 18, 1987 made by Swampy Cree Tribal Bands and is included as an addendum to their presentations to the Manitoba Constitutional Task Force, The Pas, Manitoba, The Pas Friendship Centre, February 5, 1991.

THE SWAMPY CREE TRIBAL COUNCIL

Presented by Frank Whitehead

We are aboriginal people. We are citizens of Manitoba and Canada. We were here before Christopher Columbus discovered what is now known as North America. We were here long before the French came. We were here long before the English came. We were here long before the French lost the war on the Plains of Abraham. We are voters, and the politicians and the political Parties that ignore us and refuse to recognize our rights do so at their peril. Our right to participate in the political process was hard won and long in coming. This task force should not need to be reminded that the only people who had to wait longer for the right to vote were criminals serving prison sentences and the mentally handicapped. Your conduct has made your opinion of my people very clear, and none of you should be surprised that we are not prepared to rely on your good will any longer.

Our experience in dealing with your people over the past 200 years has demonstrated that your written guarantees are of questionable value, and without such written guarantees, your promises are next to worthless. I do not intend to dwell on the distant past, and I recognize that many things have changed since the days when your ancestors treated mine so cruelly.

Still, even in recent times, your record has not been one that many of you can point to with any great pride, and given that record, I cannot believe that any one of you can doubt the sincerity of our concern and the shortcomings and failings of the proposed constitutional amendments contained in the Meech Lake Accord.

Even before the Meech Lake Accord, the importance you placed on guaranteeing our rights as aboriginal people was clear when, in 1981, Ottawa and the provinces, with the exception of Quebec, made a deal that included removing the Tribal and

Aboriginal Rights Clause from the Constitution. In the face of our public outrage and intense lobbying by our people, Canada was shamed into reinstating this Treaty and Aboriginal Rights Clause; even that was achieved only by agreeing that this clause would remain to be elaborated on in future constitutional discussions.

If there is ever a time when politicians can be taken at face value, it is when they promise you future discussions, and true to their word, the First Ministers indeed did enter into the promised discussions with the aboriginal people. At the Constitutional Conference, we tabled a series of proposals which would have brought the First Nations into Confederation with honour and dignity. These proposals were rejected, apparently because certain Premiers found the "terminology too vague" and wanted clear logical definitions of such concepts as "self-government."

The thought that some Premiers are not clear on what "self-government" means is terrifying, but they do seem to have a clear grasp of "self-serving" and "self-interest," so we remain hopeful they will figure it out eventually. In March 1987, the promised discussions came to an end, and once again, aboriginal people were denied guarantees of their rightful place in Confederation.

Even then, we were still prepared to accept that framing a Constitution was a complex matter, and although what we had proposed seemed simple and straightforward, we could appreciate the difficulty the First Ministers were having in achieving a consensus.

Our willingness to believe the best of these people did not last long. Within a matter of weeks, these same First Ministers emerged from Meech Lake announcing a modern-day miracle. They had reached a unanimous agreement on a constitutional accord that was even vaguer and has less legal definition than any of the proposals the aboriginal people had put before them just weeks earlier.

This Meech Lake Accord once again excluded aboriginal people from the constitutional process and denies our rightful place in Confederation. Treaty and aboriginal rights remain undefined, and the issue of aboriginal self-government remains unresolved. The conclusion is clear. Canada's Constitution and its amendments are not being formulated on the basis of fairness, justice and inherent rights but on the basis of political power, political self-interest and political expediency.

The nature of Canadian society for generations to come will be defined by the decisions that are being made now about the Constitution and its amendments. If these decisions are not made on the basis of fairness, justice and rights, then all our children, Native or not, will suffer from the short-sightedness of politicians looking, not to our country's future, but to their next election.

As far as the Meech Lake Accord's basic objective is concerned, aboriginal peoples have no argument; neither Quebec nor the aboriginal people should have been excluded as they were in 1981-'82. The initiative to bring Quebec into the Constitution is welcomed as we would welcome a genuine initiative to bring our people in as well. The problem is, at what cost was the agreement on Quebec achieved, and who will pay the price? The aboriginal peoples have concluded that the cost was high and that we are the ones who will have to pay the price.

Let us look at some of the specific provisions of the Meech Lake Accord and consider the potential problems from the First Nations' point of view.

1. QUEBEC DISTINCT SOCIETY PROVISION

A. ABORIGINAL LANGUAGE AND CULTURE

No mention is made of aboriginal peoples and their language and cultures. By omitting appropriate reference to aboriginal peoples and their languages and cultures, the historical reality of Canada may be further distorted in Canada's Constitution.

Explicit constitutional recognition is only given to Quebec as constituting a distinct society. This could lead to a future interpretation that, for constitutional purposes, aboriginal societies are not distinct, or else they would also have been explicitly mentioned in Canada's Constitution.

As well, provincial powers are strengthened in relation to the "fundamental" dual character of Canada. This could be taken to imply, when in conflict, that provincial laws generally conceived to protect this fundamental character would have paramountcy over the legislation of aboriginal Governments.

B. ABORIGINAL AND TREATY RIGHTS

Since the whole Constitution will be interpreted in a manner consistent with the predominant notion of two societies and two languages in Canada, it is conceivable that future interpretations of Section 91(24) of the Constitution Act, 1867 and Sections 25 and 35 of the Constitution Act, 1982 could be subject

to new limitations (not all of which are foreseeable).

No mention is made of the fact that significant parts of Quebec form part of the ancestral homeland of Indian and Inuit Nations. This would have damaging effects on the claims of Indian and Inuit people in Quebec.

2. SPENDING POWER PROVISIONS

The constitutional provision on spending power is designed to limit the federal spending power in relation to areas of exclusive provincial jurisdiction. The Constitution, while recognizing that the Government of Canada may undertake national initiatives in areas of provincial power, will provide that the provinces may opt out of a national program with reasonable financial compensation as long as the initiatives or programs undertaken by the province are "compatible with national objectives."

The major beneficiaries of national programs tend to be those who are least advantaged, many of whom are aboriginal people. Even if national programs are established, uneven standards may result in different parts of Canada if one or more provinces opt out.

There is no assurance that aboriginal peoples, within provinces that opt out of national programs, would still have access to such national programs. (Based on Section 9(24) and federal responsibility)

In its effect, the opting-out provision could lead to significant extension of provincial power over aboriginal people and a further erosion of the federal trust responsibility.

3. AMENDING FORMULA

The Constitution will also provide that future constitutional amendments relating to all subject matters referred to in Section 42 would require unanimous consent of Parliament and the provincial Legislatures.

The application of unanimity provision to Section 42 has potential prejudicial effects for aboriginal people. It also provided that any future extension of existing provinces (Section 42(1)(e)) will require unanimous consent.

However, the establishment of new provinces will also require unanimous consent. This means that the political development of aboriginal peoples and others in the territories will be controlled by the provinces. Any single province will have the power to veto the creation of new provinces in the Yukon and the Northwest Territories.

As well, aboriginal rights have not specifically been

identified on the list of agenda items. Their inclusion at future First Ministers' Conferences will be made more difficult if this clause is interpreted to mean that the provinces must agree to the inclusion of aboriginal rights in future constitutional conferences held under this provision.

For example, self-government arrangements may be more difficult to attain if the federal Government has transferred additional jurisdiction or powers to the provinces in areas such as fisheries.

Many of the items to be dealt with at future First Ministers' Conferences will bear directly on aboriginal and treaty rights. It is crucial that aboriginal people have direct representation at these future First Ministers' Conferences on the Constitution, or else face the real possibility that aboriginal rights, interest, status and aspirations may be seriously undermined. We foresee that many specific provisions of the Meech Lake Accord have potential negative implications, both direct and indirect, for the aboriginal peoples of Canada.

Now, it might be fair to say that any set of constitutional amendments would, on close examination, reveal similar weaknesses, failings and inconsistencies, and that these problems could somehow be remedied before they become law, perhaps through a political process like this one.

That would be true if we could believe that this process began in a spirit of good will and of justice for all, but this was not the case. My people and I are absolutely certain that no amount of tinkering with specific provisions will do anything to remedy the fundamental failing of the Meech Lake Accord.

The fundamental flaw of the entire Meech Lake Accord is that it completely ignores the whole issue of aboriginal people's right to entrenched constitutional guarantees.

The injustice of all this, the fact we were excluded from any meaningful participation in the process, the fact that agreement was achieved only by ignoring aboriginal rights, the fact we are being treated like a problem that you can get around to some other time, all these make the Meech Lake Accord unworthy of being enshrined in the Canadian Constitution in anything resembling their present form.

Because it is so important, I would like to say a little more about how the Meech Lake process and the Meech Lake Accord ignored and excluded concerns and the rights of all the aboriginal peoples.

Only by exposing how this happened can we hope

that the injustice will be recognized and remedied before it is too late.

From the beginning, we have been told by the Prime Minister that our participation was not required, because nothing in the Meech Lake Accord would bear directly on aboriginal rights. I believe that my earlier comments on the impact of specific provisions of the Accord clearly demonstrate that the Prime Minister was, to be charitable, misinformed.

In the future, as I previously noted, the accord provides for annual First Ministers' Conferences but makes no provision for our participation or even the tabling of the issue of our rights as an agenda item. They have managed to entrench items like fisheries on the constitutional agenda, but the rights of the original owners and primary users of the fisheries are not seen as being pressing, and no doubt, they expect us to trust them to do what is good for us. Well, I have news for them, we do not!

Does anyone here today really believe that the Premiers are going to address the issue they have avoided for a hundred years unless they are forced inescapably to put it on the constitutional agenda? We believe this omission was intentional.

There are many other ways in which Meech Lake leaves aboriginal people out of the future constitutional agenda, for example, the requirement that all ten provinces must agree to the admission of a new province.

It must be stressed that this is a major departure from Canada's constitutional history. Indeed, this province was created as a Native province in negotiations between the federal Government and the residents of this area. There was no requirement that the original partners to Confederation in 1867 had to agree to the creation of Manitoba.

Another way in which aboriginal peoples are left out of the Constitution through Meech Lake is the non-recognition of the aboriginal people as a fundamental characteristic of Canadian society.

Aboriginal people have no problem in recognizing that Quebec is a distinct society. However, they do ask, why do the Premiers have a problem in recognizing the First Nations as distinct societies and recognizing them as such in the Constitution?

As well, there is the question of aboriginal languages. Quebec argues that it needs special powers to protect the French language, which is said to be under siege, being surrounded by English-speaking North America. What then of

Canada's aboriginal languages? Are they not in even more jeopardy than the French language? The survival of these languages is fundamental to our society. The first founding peoples of this country are the First Nations. It would be a terrible tragedy if these languages were allowed to wither and die. They are a proud part of our heritage and should be given constitutional recognition and protection.

Then there is the matter of decentralization of federal power clearly implicit in Meech Lake, and associated with that concept is the right of provinces to opt out of future national programs. As far as social programs are concerned, provincial Governments have always taken the position that Indian people are a federal responsibility. Aboriginal peoples have grave fears about what is going to happen to them in provinces that will not share in national programs or have opted out. These fears are more than justified when one considers what is happening to aboriginal people in Quebec where the federal Government refuses to provide services to them in areas where Quebec has already opted out.

The change in the method of appointment of senators and Supreme Court judges also causes aboriginal peoples to believe that they are being left out. Firstly, the Northwest Territories and the Yukon are not included among the Governments which can submit names for appointments to the Senate or the Supreme Court. Unless there are amendments, there may never be senators or Supreme Court justices from the predominantly Native population of the North.

This stands in sharp contrast to other Commonwealth jurisdictions, such as Australia and New Zealand, who ensure aboriginal representation in the national Government by providing for certain seats to be filled by elections among their aboriginal peoples. Why should our country's upper House represent only the provinces?

Why are our politicians afraid to provide for aboriginal representation in the halls of national Government?

Whether we look at the implications of the details of the Meech Lake Accord, or whether we look at the overall process and what is not provided, from either point of view, it is obvious this accord is seriously flawed and, even worse, blatantly fails to address the obligations your people owe mine.

It may be that Meech Lake can be repaired by amendments and modifications, but it is probably fair

to say that Meech Lake will never enjoy the support of First Nations in anything approaching its present form. This is tragic, because First Nations have a lot to offer Canada, and Meech Lake relegates us to the sidelines. As self-respecting peoples, we simply cannot be expected to accept that. As self-respecting politicians, how can you even ask?

As the American President, Harry Truman, once said: I never gave anyone hell. I just told them the truth, and they thought it was hell.

Today, ladies and gentlemen, I have told you the truth. I hope you will do something about it.

REFORMS THAT ARE NEEDED TO MAKE MEECH LAKE ACCEPTABLE TO ABORIGINAL PEOPLES

1. The First Ministers' Conference agenda must include a renewal of the constitutional process to deal with treaty and aboriginal rights and to provide for First Nations' self-government.

2. Admission of new provinces should be a matter between the federal Government and territory in question.

3. The accord must contain a recognition of the "distinctiveness" of First Nations and must entrench our rights to self-government in the Constitution, and further provision must be made to preserve and enhance aboriginal languages.

4. There must be a clear statement that both the decentralization of the federal spending power and the opting-out clause will not impact negatively on aboriginal communities.

5. There must be a process for First Nations to put forward names for Senate and Supreme Court appointments. Better still, we should be moving to an elected Senate with aboriginal peoples being involved in the discussions, with a view to developing a form of aboriginal representation in the Senate. The amending formula for Senate reform should be the original 1982 amending formula, that is, seven provinces with 50 percent or more of the population.

6. Aboriginal participation should be required in all constitutional matters affecting aboriginal people and must be specifically mentioned in the Fisheries and the Senate Reform items on the Meech Lake constitutional agenda.

7. Seat in Parliament to deal with aboriginal affairs.

These reforms can be achieved without compromising the interests of Quebec's participation. There can be no constitutional reform to give effect to the hopes and aspirations of Canada's First Nations.

Quebec and the First Nations shared many grievances. As well, we both share the objective of protecting and enhancing our heritage, languages and cultures. It is that simple.

...

Presented by Pat Stewart

Mr. Fox-Decent, Members of the Manitoba Constitutional Task Force, and observers.

Today I am making a presentation on behalf of the Swampy Cree Tribal Council, which will focus on health services to the members of the seven First Nations of our tribal council. We would like to provide you with a concrete, current example of how jurisdictional dispute between the federal and provincial Governments is preventing our First Nations from assuming control over our own health services.

In 1986 the federal Government implemented a health transfer policy, through which First Nations would be funded to develop community health plans and to negotiate health transfer agreements which would result in community control of health services. These agreements provide global budgets to First Nations to assume control of health services at the community level. With federal funding, the Swampy Cree Tribal Council has developed community health plans for each band. Health by-laws and local health boards have been established through Section 81 of the Indian Act, yet the resources for health services and regional management remain in provincial hands.

The background for this situation is that in 1964, an agreement between the federal and provincial Health Departments reflected the Governments' joint decision to carve up the province, community by community, so that duplication of services would be avoided. The signatories to this agreement were bureaucrats from each of the federal and provincial Health Departments in the Province of Manitoba. Our First Nations were not party to this agreement. As a result, five of our seven reserves have been serviced by provincial health since 1964. This 1964 agreement is now a block to our First Nations assuming responsibility for the administration of our own health services. The provincial and federal Governments have been postponing a decision to withdraw our five reserves from the 1964 agreement. We have been waiting for over four years to have this resolved so that we can implement local control.

We wish to point out to the task force that in 1991, the large majority of our people do not have running water in their homes. We are still using outdoor privies and either hauling water from community wells, lakes and rivers, or having it delivered by a water truck to open barrels in our houses. The housing stock is not keeping up to our population growth. It is not uncommon to have 10 to 15 people living in drafty, poorly insulated three-bedroom houses. The lack of basic amenities in shelter and sanitation inevitably create conditions for high rates of disease for respiratory, gastrointestinal and skin infections.

Our people have much higher hospitalization rates than other Manitobans. In spite of higher disease rates in First Nation communities by all indicators, from diabetes to infant mortality to suicides, our communities are underresourced. We are not provided with mental health services on our reserves nor professional home care services. It does not require too much imagination to understand that in a household where there is a disabled person, either from physical cause or from an emotional or mental disorder, the lack of these services impacts a large number of people. We see that both the federal and provincial Health Departments have failed to provide health services comparable to those of other Manitobans. Treaty people have fallen between the

cracks of federal and provincial constitutional responsibilities. We ask you to understand that our patience is running out.

We have developed our own community health plans. We have enacted health by-laws to assert jurisdiction over our own health services, but we are unable to make both Governments live up to their responsibility to transfer the necessary resources to our jurisdiction. To address the need of a single delivery system in each community, our local health boards have been expanded to include a representative from the adjacent Metis communities which exist on Crown land next to the reserves. Our aim is to have the local health board's authority recognized by the provincial Government and to have adequate resources to provide our people with health services comparable to those services provided to other Canadians.

We hope that the provincial and federal Governments will listen to us through this task force and remove the obstacle of the 1964 federal-provincial health services agreement so that First Nations may assume control of their own health services.